

EXHIBIT 4

Videotaped Deposition of Grecia Echevarria
Hernandez

Grecia Echevarria Hernandez November 3, 2016

* * * Videotaped Deposition * * *

Page 1

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 * * * * *

4

5 GRECIA)
6 ECHEVARRIA-HERNANDEZ,) Case No.
7 individually,) 2:16-cv-00943-GMN-VCF

8 Plaintiff,)

9 vs.)

10 AFFINITYLIFESTYLES.COM,)
11 INC., d/b/a REAL ALKALIZED)
12 WATER, a Nevada)
13 corporation, DOES I-X, and)
14 ROE BUSINESS ENTITIES I-X,)
15 inclusive,)

16 Defendants.)

17

18

19

20

21 VIDEOTAPED DEPOSITION OF GRECIA ECHEVARRIA HERNANDEZ

22

23 Taken on Thursday, November 3, 2016

24

25 At 9:03 a.m.

26

27 Taken at Lewis Brisbois Bisgaard & Smith, LLP

28

29 6385 South Rainbow Boulevard

30

31 Suite 600

32

33 Las Vegas, Nevada

34

35

36 Reported by: Sarah Safier, CCR No. 808

**CERTIFIED
COPY**

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1 DEPOSITION OF GRECIA ECHEVARRIA-HERNANDEZ, taken at
2 Lewis Brisbois Bisgaard & Smith, LLP, 6385 South
3 Rainbow Boulevard, Suite 600, Las Vegas, Nevada, on
4 Thursday, November 3, 2016, at 9:03 a.m., before
5 Sarah Safier, Certified Court Reporter, in and for
6 the State of Nevada.

7 APPEARANCES:

8 For the Plaintiff:

9 DANIELLE J. BARRAZA, ESQ.
10 Maier Gutierrez Ayon
11 8816 Spanish Ridge Avenue
12 Las Vegas, Nevada 89148

13 For the Defendants:

14 KRISTOL BRADLEY GINAPP, ESQ.
15 Lewis Brisbois Bisgaard & Smith, LLP
16 6385 South Rainbow Boulevard
17 Suite 600
18 Las Vegas, Nevada 89118

19 Also Present:

20 JOSEPH CAMP, Videographer
21
22
23
24
25

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I N D E X

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Witness: GRECIA ECHEVARRIA HERNANDEZ

4

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By Ms. Ginapp

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By Ms. Barraza

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Defendant

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F - Employee Handbook

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H - Message to Garcia Video Review
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1 THE VIDEOGRAPHER: Good morning. Today is
2 Thursday, November 3, 2016.

3 This begins the video deposition of Grecia
4 Echevarria. The time is approximately 9:03 a.m.

5 We are located at Lewis Brisbois Bisgaard &
6 Smith, 6385 South Rainbow Boulevard, Suite 600, Las
7 Vegas, Nevada 89118.

8 My name is Joseph Camp, court videographer
9 of Las Vegas Legal Video.

10 This is Case No. 2:16-cv-00943-GMN-VCF in
11 the United States District Court, District of Nevada,
12 entitled Grecia Echevarria Hernandez, individually,
13 plaintiff, versus Affinitylifestyle.com, Inc., doing
14 business as Real Alkalized Water, a Nevada
15 corporation, et al., defendants.

16 This deposition is requested by the
17 attorneys for the defendants.

18 Would all counsel present please identify
19 themselves for the record.

20 MS. GINAPP: Kristol Bradley Ginapp on
21 behalf of Affinitylifestyles.com, doing business as
22 Real Alkalized Water.

23 MS. BARRAZA: Danielle Barraza on behalf of
24 the plaintiff.

25 THE VIDEOGRAPHER: The deponent may now be

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1 sworn in by Sarah Safier of All-American Court

2 Reporters.

3 Whereupon --

4 GRECIA ECHEVARRIA HERNANDEZ

5 being first duly sworn to tell the truth, the whole

6 truth, and nothing but the truth, was examined and

7 testified as follows:

8 THE VIDEOGRAPHER: Please begin.

9 EXAMINATION

10 BY MS. GINAPP:

11 Q Can you please state and spell your full
12 name for the record.

13 A Grecia Analiz Echevarria Hernandez,
14 G-R-E-C-I-A, and then Analiz, A-N-A-L-I-Z,
15 Echevarria, E-C-H-E-V-A-R-R-I-A, Hernandez,
16 H-E-R-N-A-N-D-E-Z.

17 Q And is Echevarria Hernandez hyphenated?

18 A No. It's not supposed to be.

19 Q Okay. Can you please tell me your current
20 address.

21 A 79 Tierra Buena Drive.

22 Q Can you spell that, please?

23 A T-I-E-R-R-A, space, B-U-E-N-A.

24 Q I'm sorry. What was it?

25 A B-U-E-N-A Drive.

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1 Q And what city is that located in?

2 A Las Vegas, Nevada 89110.

3 Q I'm going to ask you to speak up just a
4 little bit because I'm usually across the table from
5 the deponent, so I'm down a little bit further than
6 usual because we're video recording this.

7 A Okay.

8 Q Have you ever had your deposition taken
9 before?

10 A No.

11 Q I'm sorry. I forgot to ask you, what is
12 your telephone number?

13 A (702) 466-0094.

14 Q Have you ever been a party to a lawsuit
15 before?

16 A Yes.

17 Q How many lawsuits?

18 A Right now, I'm at three with this one.

19 Q Okay. What are the other lawsuits you are a
20 party to?

21 A A PI, personal injury, and a workers' comp.

22 Q And who is the personal injury claim
23 against?

24 A Real Water.

25 Q I'm sorry?

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1 A Real Water.

2 Q Oh, okay.

3 A Both of them are.

4 Q And who is your attorney in the personal
5 injury case?

6 A Donn Prokopius.

7 Q Can you spell Prokopius for me.

8 A P-R-O-K-O-P-I-U-S.

9 Q And what are the -- what's the basis for
10 that personal injury lawsuit?

11 A What do you mean? A car accident.

12 Q Okay. Car accident occurring while you were
13 working for Real Water?

14 A Yes. During work.

15 Q Is that the basis for your work comp claim
16 as well?

17 A Yes.

18 Q Who's your attorney for the work comp claim?

19 A Neeman & Mills.

20 Q Are you alleging negligence against Real
21 Water in the personal injury matter?

22 A Like, what do you mean negligence?

23 Q Have you actually filed a lawsuit against
24 them?

25 A Yeah.

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1 Q Okay. And when did you file that lawsuit?

2 A Last year.

3 Q Okay.

4 A I want to say 5/27/15.

5 Q And what -- other than you working for them
6 at the time that you had the car accident, what is
7 the basis of your personal injury claims against
8 them?

9 A I'm not understanding.

10 Q What are you alleging they did wrong?

11 A Well, they got -- I got hit, so someone
12 else's fault.

13 Q But you're suing Real Water?

14 A Well, their -- their insurance.

15 Q Okay. Are you suing the person who hit you?

16 A He didn't have any insurance or anything,
17 so, no.

18 Q So the three lawsuits are this one, a
19 personal injury claim against Real Water where you're
20 suing them for their insurance coverage, and workers'
21 comp claim?

22 A Correct.

23 Q Any other lawsuits that you have been a
24 party to?

25 A I want to say it was in 2010. It was a car

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1 accident. It was -- I don't remember the guy's name.

2 He hit me from the back.

3 Q Were you injured in that accident?

4 A Yeah.

5 Q What were your injuries?

6 A I had a neck strain. It wasn't anything
7 major.

8 Q Were you injured in the accident that you're
9 suing Real Water on?

10 A Yes.

11 Q And what were your injuries in that
12 accident?

13 A Neck and back, lower back, and my wrist,
14 left wrist.

15 Q Did you recover in the 2010 accident?

16 A Yeah.

17 Q What did you recover?

18 A Like monetary-wise or --

19 Q Yeah. Was it a settlement?

20 A Yeah. I want to say it was like 4,000.

21 Q Any other lawsuits that you were a party to?

22 A Uhm-um.

23 Q Okay. Were -- was the 2010 car accident
24 lawsuit in Clark County, Nevada?

25 A Yes.

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1 Q Any family law, family court?

2 A No.

3 Q Okay. Any criminal matters?

4 A No.

5 Q Did you review any documents in preparation
6 for your deposition today?

7 A Yeah.

8 Q What did you review?

9 A It was just -- I want to say it was Amy
10 Jones' deposition and a few, like, several books.

11 Q What were the books?

12 A It was a few. It was a couple. I think it
13 was the basic -- I don't recall the rest.

14 Q Okay. Had you ever seen those books before?

15 A I'm not exactly sure, to be honest with you.

16 Q And why aren't you sure?

17 A Well, I saw -- I don't recall exactly which
18 one it was. I know it was one of them, but I just
19 don't recall which one.

20 Q One of the books that you looked at you had
21 seen before?

22 A I don't know if it was one of the ones that
23 were there or if it was one that I've had, like that
24 wasn't there. I know that I had -- there was a few
25 that I've -- I don't recall if it was one of those

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1 that I saw that day.

2 Q What day?

3 A The day that I reviewed the documents.

4 Q Okay. And why did you review the deposition
5 of Amy Jones?

6 A Just -- just to, I guess, get a handle on
7 things, to see what's going on.

8 Q Did you review anything else?

9 A No.

10 Q Did you speak with anyone other than your
11 attorney in preparation for your deposition?

12 A No.

13 Q Did you speak with any -- have you ever
14 spoken with anybody you consider a witness in this --
15 sorry. Let me back up.

16 Did you speak with or have you ever spoken
17 to, since you filed the complaint, any witness to
18 your allegations?

19 A Yes. She didn't want to get involved due to
20 her -- she said that she was still working for Real
21 Water, so they handed out a paper that if they got
22 involved that they would probably get fired.

23 Q Who's this witness? What's her name?

24 A Her name is Yanyeli. It's Y-A-N-Y-E-L-I. I
25 don't know her last name. She works for the -- not

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1 the Real Water office, but like the gallon place.

2 Q Is she an employee of Real Water?

3 A She was when I was speaking to her, yeah.

4 She used to work where I worked.

5 Q What was -- what was her position?

6 A Receptionist.

7 Q And you said something about "they handed

8 out a paper." Who's "they"?

9 A Her -- I'm guessing her boss.

10 Q At Real Water or at her current employer?

11 A Well, when I spoke to her, it was -- I don't

12 know, it's Real Water's, I guess, other company where

13 they -- delivery service. Alkaline.

14 Q That's where she works now?

15 A That's where she was working at the time

16 when I spoke to her.

17 Q When did you speak with her?

18 A A couple -- it was when -- I spoke to her,

19 the very first time was when everything came out in

20 the media. She's the one who sent me some of the

21 links. And then I want to say I spoke to her a

22 couple months, three or four months ago.

23 Q Why did she send you the links?

24 MS. BARRAZA: Objection, to the extent it

25 calls for speculation.

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1 BY MS. GINAPP:

2 Q If you know.

3 A Because she thought it was weird that they
4 would do something like that.

5 Q Is that what she told you?

6 A Yeah. She thought it was, quote/unquote,
7 mean.

8 Q She e-mailed the links to you?

9 A Yeah. Well, she sent me a text with the
10 link.

11 Q Do you still have those texts?

12 A No.

13 Q Why not?

14 A I got a new phone.

15 Q Do you still have possession of that phone?

16 A No.

17 Q Did you surrender it to your carrier?

18 A Yes.

19 Q When did you get a new phone?

20 A October of 2015.

21 MS. BARRAZA: Just for the record, can you
22 speak up a little bit more so we have a clear record
23 going forward.

24 THE WITNESS: Yeah.

25 MS. BARRAZA: Thank you.

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1 BY MS. GINAPP:

2 Q Who's your cell phone provider?

3 A T-Mobile.

4 Q And that's who it was at that time?

5 A Yes.

6 Q They're the ones you surrendered the phone
7 to?

8 A Yes. And then I paid for it -- well, my mom
9 paid for the rest of it, so she kept it.

10 Q So your mom has the phone right now?

11 A Yeah.

12 Q Do you know if she wiped the memory on it?

13 A Yes. T-Mobile did.

14 Q Now, you said you spoke with this -- I'm
15 sorry. I'm not going to pronounce her name. Can you
16 pronounce her name again for me.

17 A Yanyeli.

18 Q Yanyeli. You said you spoke with her --
19 when was the last time you spoke with her?

20 A I want to say three to four months ago.

21 Q And why did you talk to her three to four
22 months ago?

23 A Well, she sent me the link, and then we were
24 talking about it. And that was the first time I ever
25 heard about any media, you know. And then we just

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1 stopped talking. And then like a month later we
2 started texting again.

3 Q And what were you texting about?

4 A The situation. She was saying how she
5 wanted to be a witness but she couldn't. She
6 couldn't get involved.

7 Q And why couldn't she get involved?

8 A Because of that paper, the flyer or the
9 paper they handed out to not get involved.

10 Q Did you ever see the paper?

11 A No.

12 Q Did she describe to you what the paper said?

13 A The basis of it, she said that it just said
14 don't get involved in any legal matters that Real
15 Water has going on.

16 Q What knowledge does she have about your
17 claims?

18 MS. BARRAZA: Objection, to the extent it
19 leads to speculation.

20 THE WITNESS: She doesn't really know much.
21 She just knows about the whole Scientology because
22 she's also aware of it.

23 BY MS. GINAPP:

24 Q What do you mean by she knows about the
25 Scientology?

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1 A She worked with me. She worked before me
2 and while I was there, a couple months while I was
3 there.

4 Q But she doesn't have any personal knowledge
5 of your claims?

6 A No. Nothing, no. Nothing that the media
7 doesn't know.

8 Q Just to be clear, to your knowledge, did she
9 witness any of the allegations that you make in your
10 complaint?

11 A Yes, because she went through them too.

12 Q But did she witness them happening directly
13 to you?

14 A Yes. Watching videos, she's the one who put
15 them on for me. And she sent me to the room where I
16 had to do the course work.

17 Q Any other witnesses that you have spoken to?

18 A I was speaking to Christy Oldenkamp.

19 Q How do you spell Christy?

20 A I want to say C-H-R-I-S-T-Y.

21 Q Oldenkamp?

22 A O-L-D-E-N-K-A-M-P.

23 Q And who's Christy Oldenkamp?

24 A She started working there after I was
25 working -- after I started, and she was also a brand

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1 embassador.

2 Q When did you speak with Christy Oldenkamp?

3 A Well, throughout when she first started
4 working there, after she saw the videos, she thought
5 it was weird that, you know, they're showing us -- or
6 she got -- she got shown the same videos as well.
7 And we just talked about it, and we both made the
8 remark that, "Why is it Scientology based?"

9 Q So was that the last time you spoke to her,
10 while you were employed with Real Water?

11 A No.

12 Q When was the last time you spoke with her?

13 A I'm not exactly sure 100 percent what date,
14 but it was, I want to say, between March and June of
15 this year.

16 Q And what was the reason you spoke with her?

17 A I was going to see if she wanted to be a
18 witness. And she never got back to me. She said she
19 had another lawsuit going on.

20 Q What is your understanding of her knowledge
21 of your claims against Real Water?

22 A The whole Scientology thing and getting
23 wrongfully terminated.

24 Q She knows about your getting terminated?

25 A Yeah. I mean, they told everyone.

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1 Q They told everyone that you were terminated?

2 A Well, the people that I talked to, yeah.

3 They came asking me why I got fired. I didn't really
4 give them too much information.

5 Q So Christy asked you why you were fired?

6 A Yeah.

7 Q So it's your understanding that she was told
8 you were fired but not why you were fired?

9 A Yeah. Well, she's best friends with Bonnie,
10 so -- or they're -- they were. I'm not sure if they
11 still are. So I don't know what the conversation
12 between them two was.

13 Q All right. Anybody else that you talked to
14 in preparation for your deposition?

15 A No.

16 Q I'm going to give you -- we have talked a
17 lot, but I'm going to give you a few guidelines since
18 you have never had your deposition taken just about,
19 I'm sure you have talked with your counsel about it,
20 but just so that we're on the same page about what's
21 expected.

22 The oath you took is the same oath that you
23 would take in a court of law, and it carries with it
24 the same penalties for perjury and the same
25 responsibilities to answer truthfully.

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1 Do you understand?

2 A Yes.

3 Q And that oath means that giving responses
4 such as "I don't know," "I don't recall" in lieu of
5 material responses when you know an actual answer is
6 not truthful.

7 Do you understand that?

8 A Yes.

9 Q The oath also requires that you give
10 accurate testimony to the best of your recollection.

11 Is that fair?

12 A Yes.

13 Q Sometimes these depositions get quite
14 conversational. It's important that we not talk over
15 each other for the court reporter. This is being
16 video recorded, so it also gets messed up that way
17 when we talk over each other. So it's best that you
18 please just wait for me to finish asking the question
19 before responding, and I'll do my best to let you
20 finish responding before I ask the question.

21 Is that fair?

22 A Okay.

23 Q Your responses must be audible. The court
24 reporter cannot transcribe responses such as "uh-huh"
25 or "uhm-um." We won't know if that means yes or a

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1 no. So if you do slip up, because sometimes people,
2 even I do, I might say, "Is that a yes or is that a
3 no?" And I'm not trying to be rude. I'm just trying
4 to get a clear record.

5 Is that fair?

6 A Yeah.

7 Q If a question is not clear or you do not
8 understand it, please ask me to rephrase it or repeat
9 it. Okay?

10 A Okay.

11 Q If you answer a question that I ask, I'm
12 going to assume that you understood it.

13 Is that fair?

14 A Yes.

15 Q Your counsel will make objections from time
16 to time. If an objection is made, please wait until
17 your attorney completes the objection, and then
18 answer the question unless your attorney instructs
19 you not to. Okay?

20 A Okay.

21 Q I'm entitled to your best estimate in your
22 answers but not guesses. So -- and just by way of
23 elaborating the difference between an estimate and a
24 guess is we're sitting at this table now. You may be
25 able to -- if I ask you how long it is, you may be

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1 able to estimate how long it is. And if you can,
2 then you say, "I estimate it's this many feet long."

3 But, you know, you might not be able to, if
4 I asked you how tall the building was, you might not
5 know that. That might be a pure guess.

6 Does that make sense?

7 A Right.

8 Q At the conclusion of the examination,
9 everything that the court reporter is taking down
10 will be put into a written booklet called a
11 transcript. You will have the opportunity to review
12 the transcript and make any necessary changes to it
13 and sign it under the penalty of perjury.

14 Any changes that you make to the
15 transcript -- substantive changes, like a "yes" to a
16 "no," or in a car accident case, for example, if you
17 said -- testified that the light was red and then you
18 changed it to green, those would be substantive
19 changes, can be committed on and pointed out to the
20 court or the arbitrator or jury in this lawsuit and
21 could go to your credibility.

22 Do you understand?

23 A Yes.

24 Q If, at any time, you need a break, let me
25 know. We're not doing an endurance test here. So I

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1 only ask that if a question is pending that you
2 finish answering the question before we take a break.

3 Is that fair?

4 A Yeah. Yes.

5 Q Have you taken any drugs, medication or
6 alcohol in the last 24 hours that might affect your
7 ability to testify accurately today?

8 A No.

9 Q Do you take any medications on a regular
10 basis that you did not take today?

11 A No.

12 Q Do you have any health problems or medical
13 conditions that might affect your ability to testify
14 accurately today?

15 A I do have health issues, but I don't think
16 it would get in the way.

17 Q Health issues beyond the injuries that you
18 described earlier?

19 A Uh-huh. Yes.

20 Q Okay. Any mental health issues?

21 A No.

22 Q Any debilitating pain?

23 A No.

24 Q Can you think of any other reason that you
25 might not be able to give your best testimony today?

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1 A No.

2 Q Earlier you gave me your home address. How
3 long have you lived there?

4 A Like six years, about.

5 Q Is that where you resided when you worked
6 for Real Water?

7 A Yes.

8 Q Do you live there with anyone else?

9 A My family.

10 Q And who constitutes your family?

11 A My parents, mom and dad, my brother and
12 sister and me.

13 Q What's your mom's name?

14 A Maria.

15 Q Does she have the same last name as you?

16 A Hernandez, yeah.

17 Q And your dad's name?

18 A Juan.

19 Q Is his last name Hernandez?

20 A Echevarria.

21 Q And your brother?

22 A Juan Jose Echevarria. They're also --

23 Q So --

24 A Sorry. They're also Echevarria Hernandez.

25 Q Like you?

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1 A Yeah.

2 Q But you shorten it to Echevarria?

3 A Yeah.

4 Q How old is your brother?

5 A He is 18.

6 Q And what's your sister's name?

7 A Jasmine.

8 Q And how old is she?

9 A She just turned 22.

10 Q And how old are you?

11 A 27.

12 Q What's your date of birth?

13 A May 7, 1989.

14 Q Any other siblings besides the ones that
15 live at your home?

16 A Yeah. I have two half. They're older. One
17 lives in California, and the other one lives here
18 with her husband and kids.

19 Q At the time that you worked for Real Water,
20 did either of those half siblings live at your home
21 address with you?

22 A Not the other two. Just the ones that are
23 still there.

24 Q Okay. Anybody else that resided at --
25 resides at the home with you now or when you were

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1 working for Real Water?

2 A No.

3 Q Did you live anywhere other than this
4 address during the time that you worked for Real
5 Water?

6 A No.

7 Q Did you have a boyfriend at the time that
8 you worked for Real Water?

9 A Yes.

10 Q And did you stay with him?

11 A Very seldom. He stayed more with me than I
12 stayed with him.

13 Q Do you still have the same boyfriend?

14 A Yes.

15 Q Okay. What's his name?

16 A Justin Pearce, P-E-A-R-C-E.

17 Q Thanks.

18 A Uh-huh.

19 Q And what's Justin's address?

20 A I don't know the physical address. I know
21 how to get there, but . . .

22 Q Okay. And how long have you been dating
23 Justin?

24 A Almost two years.

25 Q And you were dating him the entire time that

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* * *Videotaped Deposition* * *

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1 you worked at Real Water?

2 A On and off.

3 Q Where were you born?

4 A Puerto Vallarta, Mexico.

5 Q And when did you come to the United States?

6 A When I was about two years old, so '91.

7 Q Are you a naturalized citizen or a natural
8 citizen?

9 A I'm a naturalized.

10 Q And when did you become naturalized?

11 A That's when you become a citizen, right?

12 Q Yep.

13 A I want to say I was 10.

14 Q Okay. And just for identification purposes,
15 what is your social security number?

16 A XXX-XX-0836.

17 Q That will be redacted from anything that we
18 filed, just so you're clear.

19 A Okay.

20 Q You're currently unmarried?

21 A Yes.

22 Q Have you ever been married?

23 A No.

24 Q Do you have any children?

25 A No.

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* * * Videotaped Deposition * * *

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1 Q Can you describe your educational history
2 for me?

3 A Graduated high school in 2006.

4 Q What high school did you go to?

5 A Valley High School.

6 Q Here in Las Vegas?

7 A Yes.

8 Q Did you have any post high school education?

9 A I'm in college right now, community college,
10 CSN.

11 Q CSN?

12 A Uh-huh.

13 Q And how long have you been attending CSN?

14 A Since 2006. I took a break due to health
15 problems.

16 Q So now I'm going to ask you about your
17 health problems. What are your health problems that
18 caused you to take a break?

19 A I have ulcerative colitis and Crohn's. And
20 it arose other problems: anemia. I had pyoderma
21 gangrenosa on both feet.

22 Q I'm sorry. What was that?

23 A Pyoderma gangrenosa.

24 Q Do you how to spell that?

25 A Yeah. It's P-Y-O-D-E-R-M-A. And then

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1 gangrenosa, it's G-A-N-G-R-E-N-O-S-A, I think.

2 Q So, I mean, it looks like gangrene. Is that
3 what it is?

4 A Kind of. Basically MRSA.

5 Q MRSA?

6 A Uh-huh. On both feet. And then I had MRSA
7 other areas, ulcers other areas of my body.

8 Q Any other health conditions?

9 A No.

10 Q Is your ulcerative colitis, Crohn's under
11 control now?

12 A Yes.

13 Q Okay. What about your anemia?

14 A It's under control as well.

15 Q Okay. Were both -- were all three of those
16 actually under control while you worked at Real
17 Water?

18 A The ulcerative colitis, I had just started a
19 couple months prior on a new medication, so I was
20 still having flare-ups and still not doing really
21 well.

22 Q When were you diagnosed with ulcerative
23 colitis?

24 A October of 2008.

25 Q And what about Crohn's? When were you

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1 diagnosed with that?

2 A It was Crohn's 2012. It was always colitis,
3 and then a doctor said he saw Crohn's. And then it's
4 just back and forth, so they said I have both.

5 Q What about anemia? When were you diagnosed
6 with that?

7 A 2008, the same time I got diagnosed with
8 ulcerative colitis.

9 Q And the pyoderma gangrenosa, when were you
10 diagnosed with that?

11 A 2011 and 2012. Once one foot was done, the
12 other one came up -- it arose.

13 Q And is the pyoderma gangrenosa under control
14 now?

15 A Yes.

16 Q Was it under control while you worked at
17 Real Water?

18 A Yeah.

19 Q Is the pyoderma gangrenosa a chronic
20 condition?

21 A Yes. But if I have the UC, the ulcerative
22 colitis under control, I should have -- the
23 medication also controls the pyoderma gangrenosa --

24 Q Okay.

25 A -- along with other infections.

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* * *Videotaped Deposition* * *

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1 Q Any other education?

2 A Just college right now.

3 Q What is your major area of study?

4 A Just fine arts, basics.

5 Q General education courses?

6 A Yeah.

7 Q And when you say "fine arts," are you
8 studying a particular type of art?

9 A It's just to get my associate's in fine arts
10 so I can transfer to UNLV.

11 Q Do you have any legal education?

12 A No. I took -- I started a course to become
13 a paralegal, but it wasn't -- I never finished it.

14 Q One course?

15 A It was -- I ordered a book, but I only read
16 like ten pages, if that. Again, I got sick so I had
17 to stop.

18 Q And when was that?

19 A 2012, I think.

20 Q Was there a particular reason that you
21 wanted to do a paralegal course?

22 A I was working as a legal assistant for
23 Lawyers Group of Nevada who then got bought out by
24 Keith Gregory & Associates.

25 Q How long did you work for Lawyers Group of

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* * * Videotaped Deposition * * *

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1 Nevada?

2 A Like six months.

3 Q What kind of law did they practice?

4 A Lawyers Group did personal injury. That was
5 their main course. And then Keith Gregory &
6 Associates, I want to say did the same thing, but I
7 think they also did something with mortgage, if I'm
8 not mistaken.

9 Q And after Lawyers Group of Nevada was bought
10 out by Keith Gregory, did you continue to work for
11 Keith Gregory?

12 A Yes.

13 Q And that six months that you stated, is that
14 for both?

15 A Yes.

16 Q Was that in 2012?

17 A Yes. 2000- -- I want to say August 2012 to
18 February of 2013.

19 Q And why did you leave that job?

20 A Because I was getting -- I was having
21 very -- like flare-ups back to back.

22 Q Flare-ups with your ulcerative colitis and
23 Crohn's?

24 A Uh-huh. Yes.

25 Q Do you have any medical education?

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1 A No. Other than being a patient, everything
2 I've learned from that.

3 Q Do you have any family members with a legal
4 education or background?

5 A No.

6 Q Do you have any family members with a
7 medical education or background?

8 A Yes. My dad.

9 Q Can you explain to me what his background
10 is?

11 A A general doctor, Mexico. So he has his
12 degree to be a doctor. He was a doctor.

13 Q He was a doctor in Mexico?

14 A Yeah.

15 Q Did he ever practice in the United States?

16 A No.

17 Q Did he have a job in the medical field in
18 the United States?

19 A No.

20 Q I'm just curious. What's he do?

21 A Right now?

22 Q Uh-huh.

23 A He works for a radio -- a new radio station,
24 Hispanic radio station as a salesperson.

25 Q Can you give me an overview of your

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* * *Videotaped Deposition* * *

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1 employment history since high school?

2 A My first job was PacSun at the Fashion Show
3 Mall.

4 Q And what were the dates of your employment?

5 A That was December of 2006 to April of 2007.

6 Q And were you just like a retail salesperson?

7 A Yeah. And I was temporary, holiday.

8 Q So you -- so the reason you left was because
9 the temporary position was completed?

10 A Yeah. And I was going to school at the
11 time.

12 Q Are you currently enrolled in any classes?

13 A Yes.

14 Q What are the classes you're currently
15 enrolled in?

16 A Communications 102 and Psychology 102. I
17 just finished my first eight-week course, which was
18 Political Science 101.

19 Q That's a good time to take a political
20 science course.

21 A Yeah.

22 Q Okay. So where did you go after PacSun?

23 A I went to a bank. Its name is WestStar
24 Credit Union.

25 Q And what were your dates of employment at

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1 WestStar Credit Union?

2 A I think it was from a little after I left
3 PacSun to, I want to say, August. I was only working
4 there for a few months, like maybe four months.

5 Q So from approximately April of 2007 to --
6 sorry -- August of 2007?

7 A Yeah. I think so.

8 Q And what was your position at WestStar
9 Credit Union?

10 A A teller.

11 Q Why did you leave that job?

12 A The hours didn't match with school at the
13 time.

14 Q So it's safe to say that they wanted you to
15 work during the day, but you also need to go to class
16 during the day?

17 A Yeah.

18 Q So where did you go after WestStar Credit
19 Union?

20 A Mygrant Glass.

21 Q Mygrant?

22 A Yeah.

23 Q M-I-G --

24 A M-Y-G-R-A-N-T.

25 Q Mygrant Glass. And what kind of business is

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1 that?

2 A It's an auto glass wholesaler.

3 Q And what were your dates of employment?

4 A December 12, 2007, until, I want to say,
5 July 3rd of 2012.

6 Q What was your position there?

7 A I was a customer service representative.

8 Q What were the job duties of a customer
9 service representative at Mygrant Glass?

10 A I took orders online and through the phone.
11 I took orders from people who were physically there,
12 customers. I would order parts from other states.
13 Sometimes I would deliver. I handled the cash, the
14 credit card transactions. That's basically the gist
15 of it.

16 Q What was your rate of pay at Mygrant Glass
17 when you left?

18 A \$13.25.

19 Q Per hour?

20 A Yeah.

21 Q Was there overtime associated with that job?

22 A No. They didn't like it.

23 Q Did you work 40 hours a week?

24 A Yes. Towards the end, I was working between
25 20 to 30 because they were really slow and I was

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1 getting sick.

2 Q Why did you leave Mygrant Glass?

3 A Due to health problems. They got severe.
4 That's when my foot problems started arising on the
5 second one.

6 Q What was your next job?

7 A Keith Gregory & Associates -- or Lawyers
8 Group, Keith Gregory & Associates.

9 Q And you said you worked there approximately
10 August of 2012 to February of 2013, correct?

11 A Yes. And I didn't work full-time. It was
12 more of a part-time job.

13 Q Approximately how many hours?

14 A 20 to 30, if that.

15 Q 20 to 30 per week?

16 A Yeah.

17 Q What was your rate of pay?

18 A \$10.00 or \$10.50. I want to say \$10.50.

19 Q And why did you leave there?

20 A Because of my health problems and I just
21 didn't really like working there.

22 Q What didn't you like about working there?

23 A There was a lot of drama in the office
24 between them, each other.

25 Q Between the staff, between the lawyers,

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1 between who?

2 A The staff. And I was a legal assistant, but
3 I also did what paralegals should -- they should have
4 been doing.

5 Q So you believe you were doing duties that
6 weren't within your position?

7 A Yes.

8 Q What was your next job?

9 A Real Water.

10 Q Do you remember the dates of your employment
11 at Real Water?

12 A March of 2015 until October of 2015.

13 Q So that means that there was approximately a
14 two-year gap in employment for you?

15 A Yes.

16 Q What did you do during that two-year gap in
17 employment?

18 A In and out of hospitals. And that's
19 basically it.

20 Q So you were treating your ulcerative
21 colitis?

22 A Yes.

23 Q And Crohn's?

24 A Yes.

25 Q And the anemia too?

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1 A Yes. The anemia has been controlled for a
2 little longer than the colitis. I want to say five
3 years now. It was controlled two, three years after
4 I got first diagnosed.

5 Q Okay. Were you attending classes during
6 that two years?

7 A No. No. No, I wasn't.

8 Q Did you do any type of employment or
9 anything other than treat medically during those two
10 years?

11 A No.

12 Q Okay. Have you had any employment since
13 Real Water?

14 A No.

15 Q And why not?

16 A I've been looking. It's pretty hard to get
17 one right now or . . .

18 Q What have you done to try to secure a job?

19 A I have a couple of online files, profiles,
20 Monster, Career Builder, Indeed. And then I go to
21 individually, you know, individual sites for wherever
22 I want to apply. I get notifications of the job
23 posting, and I go online and do it.

24 Q Approximately how many jobs have you applied
25 for since August of 2015 when you were terminated

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1 from Real Water?

2 A October?

3 Q I'm sorry. October.

4 A I probably applied to maybe five to seven,
5 like every two weeks. Even low-paying jobs.

6 Q You did those online?

7 A Yes.

8 Q By e-mail?

9 A Yes. Or their website, their application
10 process.

11 Q Do you have electronic or documentary
12 evidence of these applications?

13 A Not me personally, but it should be in the
14 system, in their systems. I have all the
15 notifications of available positions, but . . .

16 Q Have you had any interviews?

17 A I had, I want to say, three since October,
18 but they've all been for either door-to-door jobs or
19 you have to pay for them or you -- I forget the name,
20 something Solutions. I think it's -- and it's been
21 the same type of job position.

22 Q Okay. Do you know the names of the
23 companies that you've had the interviews with?

24 A No. One is -- one is Advantage -- Advantage
25 Solutions. Let me think. I'm not really sure.

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1 Q Were you given offers of employment by any
2 of these companies?

3 A No.

4 Q So since your termination from Real Water,
5 you've had no offers of employment?

6 A One. The door-to-door one.

7 Q What would you have been selling
8 door-to-door?

9 A Solar panels, I think.

10 Q And how much would that job have paid?

11 A Commission.

12 Q Commission only?

13 A Yeah.

14 Q Were you given a written offer of
15 employment?

16 A No.

17 Q Do you remember the name of the company?

18 A No. I know where it's at, but I don't
19 remember the name of it.

20 Q Where is it at?

21 A Sahara and Buffalo, I believe. This was
22 probably December of last year.

23 Q December of 2015?

24 A Yeah.

25 Q And you turned it down?

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1 A Yes.

2 Q Why did you turn it down?

3 A Because I'm not a good salesperson.

4 Q What makes you say you're not a good
5 salesperson?

6 A I'd be really embarrassed going
7 door-to-door.

8 Q Why?

9 A I guess you can say I'm a little shy when it
10 comes to people I don't know.

11 Q Did the shyness impact your ability to do
12 your job at Real Water?

13 A No.

14 Q Why not?

15 A I didn't have to sell anything, I mean,
16 other than -- the product was already there. I just
17 had to sell more of it, which is a lot easier than
18 having to convince someone to buy the product that
19 you've never had before.

20 Q Have you ever been convicted of a felony?

21 A No.

22 Q Have you ever been convicted of a
23 misdemeanor involving deception or failure to tell
24 the truth?

25 A No.

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1 Q You're making a claim for religious
2 discrimination, correct?

3 A Yes.

4 Q What is your personal definition of
5 religious?

6 A My personal definition?

7 Q Yes.

8 A Believing in a higher power, following -- I
9 believe in God, so I follow his beliefs.

10 Q Anything else?

11 A That's the gist of it.

12 Q So something is religious if it deals with a
13 higher power or God?

14 A Yes. In my mind, God specifically.

15 Q Do you ascribe to a particular religion?

16 A Catholic. I was baptized Catholic, and I
17 grew up Catholic.

18 Q Do you currently attend a Catholic church?

19 A No. Well, I go to Catholic and/or
20 Christian.

21 Q When is the last time you went to church?

22 A Two weeks ago, Sunday.

23 Q And what church did you go to?

24 A The one -- it's called Prince of Peace,
25 Charleston and Christy Lane.

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1 Q Is that a Catholic church?

2 A It's a Christian church.

3 Q You said you were baptized Catholic. Did
4 you have a First Communion?

5 A I did.

6 Q Did you attend catechism classes?

7 A I did.

8 Q How long did you attend catechism classes?

9 A A couple of years. It was on Lake Mead
10 and -- let's see. Lake Mead and -- I don't remember
11 the other street. Not McDaniel, but it's the one
12 right above it. There's a church that's a Catholic
13 church, and then the school's right in the same
14 parking lot.

15 Q Did you go to a Catholic school?

16 A No.

17 Q Catechism, you did course work in religion,
18 correct?

19 A Yes.

20 Q And how old were you when you did the
21 catechism classes?

22 A I did my first communion when I was, I
23 believe, 14, 13 or 14. So it takes about two years.
24 So when I was like 11.

25 Q So you did the catechism classes before you

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1 took First Communion?

2 A Yes.

3 Q Would you say that you are familiar with the
4 bible?

5 A Yes.

6 Q And do you have a working knowledge of the
7 Ten Commandments?

8 A Yes.

9 Q Do you have a basic understanding of the
10 teachings of the Old Testament?

11 A No.

12 Q Do you have a basic understanding of the
13 teachings of the New Testament?

14 A Kind of.

15 Q When you were working at Real Water, did you
16 attend church services?

17 A Not every Sunday, but, yes.

18 Q How often would you say you attended church
19 services while working at Real Water?

20 A Once or twice a month. And I would go to --
21 there's a temple on Stewart and, I want to say, 10th.

22 Q By temple, like a Catholic church or --

23 A It's just a temple. Anyone's welcome.

24 Q Just a Christian church?

25 A Yeah. It's more like a small, little, like,

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1 temple.

2 Q Do you consider Scientology to be a
3 religion?

4 A Yes.

5 Q And why do you believe that?

6 MS. BARRAZA: Objection. Form.

7 BY MS. GINAPP:

8 Q What do you base that belief upon?

9 A That I believe that it's a religion?

10 Q Yes.

11 A Because they don't believe in God. And they
12 believe in something; they just don't believe in God.

13 Q So -- okay. And how do you know that?

14 A I didn't know that up until -- I didn't even
15 know what Scientology really was until I started
16 working at Real Water.

17 Q Would you say you know what it is now?

18 A Not 100 percent, but I have a little more
19 knowledge than I did before.

20 Q Okay. And where did you get that knowledge
21 from?

22 A Well, I first heard the name of Ron L.
23 Hubbard [sic] the first week, the first day and then
24 the first week at Real Water. And I had no idea who
25 he was.

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1 Q And in what context did you hear -- first
2 hear the name L. Ron Hubbard at Real Water?

3 A In one of the videos and then in one of the
4 courses, but mainly the video is what made me kind of
5 hear him or hear who he was and then made me kind of
6 Google him a little bit.

7 Q Which videos was his name in?

8 A I want to say it was The Way to Happiness
9 or Just Do It. It was between Just Do It, The Way to
10 Happiness and the 10X Power, I believe.

11 Q The 10X Rule?

12 A Yes.

13 Q Was that a video?

14 A Yes. I'm not exactly sure if that's the
15 name of the video, but something -- I think it was
16 like 10X. I don't remember. I don't recall. I'm
17 pretty sure it was On The Way to Happiness, though.

18 Q Okay. And what was said about L. Ron
19 Hubbard?

20 A They mentioned his name and who he was.

21 Q What did they say about who he was?

22 A This is a long time ago. I don't really
23 recall.

24 Q Were you offended by hearing his name and
25 who he was?

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1 A At the moment, I had no idea who he was.

2 Q So the question was, were you offended by
3 hearing his name and who he was?

4 A No.

5 Q At some point, did you become offended by
6 hearing L. Ron Hubbard's name?

7 A I wouldn't say I was offended.

8 Q Did you have other emotions by hearing his
9 name?

10 A I felt like I really didn't want to learn
11 anything about him.

12 Q Why did you feel like you didn't want to
13 learn anything about L. Ron Hubbard?

14 A Because when I Googled him, I noticed he was
15 Scientology based. And I believe in God. I grew up
16 believing in God.

17 Q Have you ever looked up the basic tenets of
18 Scientology?

19 A No.

20 Q If I asked you to explain the basic beliefs
21 of the Church of Scientology, could you do that?

22 A No.

23 Q Have you ever read anywhere that they don't
24 believe in God?

25 A Yes.

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1 Q Where did you read that?

2 A When I Google Ron L. Hubbard [sic] and
3 Scientology, it says they do not believe in God.

4 Q What website?

5 A I don't know. Like I don't exactly know the
6 actual website, but I know I read when the whole Tom
7 Cruise thing was going crazy about him being
8 Scientologist, it kept saying everywhere that they
9 don't believe in God also.

10 Q Did you ever talk to any member of the
11 Church of Scientology to see if that was true?

12 A No.

13 Q Why not?

14 A I'm not really interested in Scientology.

15 Q So just to summarize what you know about the
16 Church of Scientology is from websites you don't
17 remember that you Googled and stuff you read about
18 Tom Cruise?

19 A Yeah. A lot on the websites. I don't know
20 the website, the actual website, but I'm sure if you
21 Google his name and Scientology, it comes up.

22 Q Did you ever go to the Church of Scientology
23 website?

24 A No.

25 Q Why not?

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1 A I don't know. Because I didn't.

2 Q Can you describe to me what you believe that
3 you know about the beliefs of the Church of
4 Scientology?

5 A They -- they believe basically like the
6 man's world.

7 Q What does that mean?

8 A From what I understood On the Way to
9 Happiness and stuff that I read online is that
10 it's -- they don't -- they don't believe in a higher
11 power. They believe in someone, from the
12 understanding that I got from it. They don't believe
13 in, you know, God or Buddha or anything, but they
14 believe in a certain person, and they follow that one
15 person and his beliefs.

16 Q Do you know any members of the Church of
17 Scientology?

18 A No. Personally, no.

19 Q Have you ever been to an actual Church of
20 Scientology location?

21 A No.

22 Q Have you ever been asked to go to a Church
23 of Scientology location?

24 A No.

25 Q And just to be clear, no one at Real Water

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1 ever asked you to go to the Church of Scientology?

2 A Correct.

3 Q No one at Real Water ever encouraged you to
4 go to the Church of Scientology, correct?

5 A Correct.

6 Q Have you ever read any literature from the
7 Church of Scientology about their beliefs?

8 A Books?

9 Q Yes, literature.

10 A No. I don't know if -- like me personally,
11 to get a book from somewhere?

12 Q Have you ever --

13 A No, I haven't.

14 Q Just to be clear, let me ask the question
15 one more time. Have you ever read any literature
16 from the Church of Scientology?

17 A I'm not sure if it's like -- I mean, what I
18 read in the course books, but I don't think -- it
19 doesn't say Church of Scientology.

20 Q The course books don't say Church of
21 Scientology?

22 A Yeah. But it does -- I don't recall which
23 book, but I know that I did see something based on
24 Scientology. That's basically -- I've never
25 personally gotten any books anywhere about

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1 Scientology.

2 Q No one -- other than the course books that
3 have a reference to Scientology, no one at Real Water
4 ever gave you any literature that described the
5 beliefs of the Church of Scientology, correct?

6 A Correct. Can you repeat that one more
7 time --

8 Q Sure.

9 A -- please?

10 Q Other than what you say the course books
11 that reference Scientology, no one at Real Water ever
12 gave you any literature describing the beliefs of the
13 Church of Scientology, correct?

14 A Correct.

15 Q Have you ever watched any movies,
16 documentaries or TV shows about the Church of
17 Scientology?

18 A Personally, no.

19 Q Why did you qualify that with the term
20 "personally"?

21 A Like me?

22 Q Uh-huh.

23 A I haven't by myself. After I saw some
24 videos at Real Water, they were Scientology.

25 Q It's your opinion that the videos that you

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1 watched were Scientology videos at Real Water?

2 A Yes.

3 Q Did they identify themselves as being
4 Scientology videos?

5 A No. But when I Googled Scientology videos,
6 The Way of Happiness was one of them. And then a
7 couple other ones, but I've never -- I didn't watch
8 them or anything.

9 Q There were a couple other videos that showed
10 up when you Googled Scientology videos?

11 A Yes.

12 Q What was the Google search that you did to
13 find these Scientology videos?

14 A Scientology video.

15 Q And why were you looking up Scientology
16 videos if you weren't interested in Scientology as a
17 religion?

18 A Because of the day after I -- the day I saw
19 those videos at Real Water, when I got home, because
20 of his name, Ron L. Hubbard.

21 Q Do you remember the website that you visited
22 that said that The Way to Happiness was a Scientology
23 video?

24 A No. It was just a list. And that wasn't
25 it.

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* * * Videotaped Deposition * * *

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1 Q These Google searches that you have
2 testified about, were they done on your personal
3 computer?

4 A No.

5 Q Where were they done?

6 A School.

7 Q At CSN?

8 A Yes.

9 Q And did you have to log in to the computer?

10 A No.

11 Q Besides the videos that you watched at Real
12 Water, have you ever watched any other movies,
13 documentaries, TV shows or videos about the Church of
14 Scientology?

15 A I YouTubed it. It was so long ago. I don't
16 remember the name of it. It was like a 15-minute
17 video.

18 Q What was it about?

19 A The Church of Scientology. It was talking
20 negatively about Scientology, how people who follow
21 Scientology, what they like, the sort of stuff they
22 talk about, and how when you remove yourself from the
23 Scientology church, what they are capable of doing.

24 Q Did you ever try to seek out anything that
25 spoke positively about Scientology?

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1 A No.

2 Q Why not?

3 A I only saw the videos that I was told to
4 watch at Real Water, and that's -- I mean, when I saw
5 that, I just -- that's when I just started Googling
6 it. And I didn't really -- I'm not really
7 interested.

8 Q When you YouTube'd it and watched this
9 15-minute video, was that on your personal computer
10 or the CSN computer?

11 A It was on my personal laptop.

12 Q And was that -- when did you watch that
13 video?

14 A Like March of last year.

15 Q Do you still have that personal laptop?

16 A Yes.

17 Q Have you ever seen the documentary Going
18 Clear?

19 A Yes. Actually, I have.

20 Q And when did you see that?

21 A I don't recall the date, but I did see it
22 after I got introduced to Ron L. Hubbard.

23 Q Was it before or after or during your
24 employment with Real Water?

25 A During.

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1 Q Do you recall whether it was at the
2 beginning, middle or end of your employment with Real
3 Water?

4 A I don't recall. I want to say it was maybe
5 middle, towards the end.

6 Q And how did you learn about Going Clear?

7 A Again, I think that's -- I think that's one
8 of the ones that popped up when I Googled -- or
9 YouTubed it. That was the one that kept coming up
10 when I Googled Scientology videos as well. I
11 remember that name.

12 Q Have you ever read any books, articles,
13 online stories or anything similar about the Church
14 of Scientology other than what we have already
15 discussed?

16 A No.

17 Q Have you ever heard the term "suppressive
18 person"?

19 A No. Suppressive person?

20 Q Yep.

21 A I don't think so.

22 Q Did anyone at Real Water ever talk to you
23 about the beliefs of the Church of Scientology?

24 A Not -- not -- not formally.

25 Q When you say "not formally," what does that

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1 mean?

2 A I guess it wasn't on the record, if you want
3 to say that.

4 Q Did someone speak to you about the beliefs
5 of the Church of Scientology informally while you
6 were an employee at Real Water?

7 A Well, between me and Bonnie, we would talk
8 about it.

9 Q Bonnie Mercado?

10 A Yes.

11 Q What was Bonnie's position at Real Water?

12 A A brand ambassador. But she was considered,
13 I guess a couple of weeks after I started, considered
14 a supervisor for me.

15 Q And what did you guys talk about with regard
16 to the beliefs of the Church of Scientology?

17 A How they believe the way they do their
18 business. It wasn't anything like -- it was a
19 general kind of.

20 Q So when you say how "they do their
21 business," are you talking about Real Water?

22 A Yeah.

23 Q So Real Water does their business according
24 to religious beliefs?

25 A Scientology. She -- Bonnie constantly told

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1 me that they follow Scientology. And they had a
2 couple of boards on their walls following -- I don't
3 know what it's called, but the step process that some
4 of the Scientology believes.

5 Q So that was just what Bonnie told you?

6 A Yeah. And there's a couple of boards on the
7 wall.

8 Q You saw them?

9 A It doesn't say Scientology.

10 Q Did you look at the boards?

11 A Yes.

12 Q How many boards?

13 A There's one.

14 Q One board?

15 A Yeah.

16 Q Okay. And what does it talk about?

17 A It doesn't talk about anything. It's about
18 the way the employees and how they're -- who's above
19 who and who's below who and like -- I don't know how
20 to explain it.

21 Q The organizational structure?

22 A Yes.

23 Q So there's a board that's like a diagram of
24 the organizational structure of Real Water?

25 A Yes. And I guess you can say that kind of

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1 makes sense to the videos, that board.

2 Q What videos?

3 A The videos we watched in the first day.

4 Q Which video?

5 A The one -- not The Way to Happiness. I want
6 to say it's the 10X one or the Just Do It.

7 Q Does the organizational structure board
8 reference -- it doesn't reference Scientology,
9 correct?

10 A No.

11 Q No, it does or, no, it doesn't?

12 A It doesn't.

13 Q Okay. And does it have names of people at
14 Real Water on it?

15 A Yes.

16 Q And their positions?

17 A Yes.

18 Q Does it say anything about God?

19 A No.

20 Q So it's basically an outline of the business
21 structure of the company?

22 A Yeah.

23 Q And you tie it back to Scientology because
24 of a video you watched on the first day?

25 A Well, it wasn't -- not only it just matched,

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1 but it was also what Bonnie said too.

2 Q Well, what did Bonnie say that matched it
3 up?

4 A She said that this is what Scientology
5 follows.

6 Q Scientology follows an organizational
7 structure of a business?

8 A Yeah.

9 Q Did you ever do any independent
10 investigation to find out if that was true?

11 A No.

12 Q And when you were talking with Bonnie about
13 it, did she actually say that that's what Scientology
14 follows or did she say that that's what the business
15 management technology follows?

16 A No. She said Scientology. She said that
17 Real Water believes in Scientology and that they are
18 based off Scientology and how they do their ways is
19 how -- you know, Scientology based.

20 Q Okay. Do you believe that to be illegal if
21 they did do that?

22 MS. BARRAZA: Objection. Calls for legal
23 speculation.

24 BY MS. GINAPP:

25 Q I just want your personal belief. Do you

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1 believe that to be illegal?

2 A I mean, you can't force religion on someone
3 else.

4 Q Okay. Did anybody at Scientology ask you to
5 believe in a different God?

6 A Anyone at Scientology?

7 Q Sorry. At Real Water -- I apologize -- at
8 Real Water ask you to believe in a different God?

9 A No.

10 Q Did they ask you not to believe in God?

11 A Even if they did, I wouldn't stop.

12 Q That wasn't the question. The question is,
13 did they ask you to not believe in God?

14 A They didn't ask me that.

15 Q Did they ever at any time ask you your
16 personal religious beliefs?

17 A Bonnie did.

18 Q Okay. And in what context did Bonnie ask
19 you?

20 A She said, "What are you?"

21 And I said, "What do you mean?"

22 "Do you believe in God?"

23 And I said, "Yeah."

24 She goes, "What are you?"

25 And I said, "Catholic."

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1 Q And did she say what she was?

2 A No.

3 Q As you sit here today, do you have any
4 knowledge of what Bonnie Mercado's personal religious
5 beliefs are?

6 A Well, I do know she believes in God. She
7 did tell me that multiple times, and how she hates
8 the fact that Real Water follows Scientology. And
9 she said, "I do believe in God, but because it's my
10 job, I'm going to do as I should."

11 Q Did Bonnie ever encourage you to become a
12 member of the Church of Scientology?

13 A No.

14 Q Did she ever encourage you to do any extra
15 Scientology work?

16 A Extra? Just the course work, but, no.

17 (Defendant's Exhibit A was marked for
18 identification.)

19 BY MS. GINAPP:

20 Q The court reporter has handed you what's
21 been marked as Exhibit A. Will you please take a
22 look at it. And when you're ready to discuss it, let
23 me know.

24 A Okay.

25 Q Do you recognize this document?

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1 A Yes.

2 Q And what is it?

3 A It's my complaint.

4 Q And to the best of your knowledge, is it a
5 true and accurate copy of the complaint you filed
6 initiating this lawsuit?

7 A Yes.

8 Q Did you review and approve this document
9 before it was filed?

10 A Yes.

11 Q I would like you to specifically look at
12 Paragraphs 14 through 35 under the General
13 Allegations section. Please read through them. And
14 when you're finished reading through them, let me
15 know.

16 A Okay.

17 Q Is this a true recitation of the facts
18 supporting your claim for religious discrimination
19 against Real Water?

20 A What was that? Can you repeat that again?

21 Q Sure. Is this a true recitation of the
22 facts supporting your claim of religious
23 discrimination against Real Water?

24 A Yes.

25 Q Is anything in Paragraphs 14 through 35 not

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1 true?

2 A No.

3 Q And just --

4 A Except No. 23 is to "do any more courses,"
5 not videos.

6 Q So it should say, "Ms. Mercado mentioned the
7 courses repeatedly over the next five months, but
8 plaintiff politely declined to watch any more
9 courses," or "do any more courses"?

10 A Do more -- "do any more courses."

11 Q Okay. Any others that need to be revised?

12 A No.

13 Q And just to be clear, No. 20 is an accurate
14 statement of the facts supporting your claim for
15 religious discrimination against Real Water?

16 A Number 20?

17 Q Uh-huh.

18 A Yes.

19 Q And No. 21 is an accurate statement?

20 A Yes.

21 Q And No. 26 is an accurate statement?

22 A Yes. Can I add that --

23 MS. BARRAZA: There's no question pending.

24 BY MS. GINAPP:

25 Q Do you have something to add?

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1 A Well, I mean, I just wanted to let you know
2 that, like, I -- like, at the first day, I wasn't
3 aware, you know, up until after I heard his name.
4 And then the courses weren't until a week later or
5 the Friday after the day I started.

6 Q The courses or the videos?

7 A The videos were the first day, and then the
8 courses were the Friday after I started.

9 Q And when you say the courses were the Friday
10 after you started, what do you mean by they were the
11 Friday after you started?

12 A That's when -- that was the first day that I
13 went.

14 Q How many -- go ahead.

15 A Sorry. She said that every Friday we would
16 get off -- get off a little earlier to go do the --
17 to do the courses in that back room.

18 Q Who's "she"?

19 A Bonnie.

20 Q Did Bonnie say you had to do the courses, or
21 did she just encourage you to do the courses?

22 A At first she said I had to. And I had the
23 conversation with her that I didn't really want to; I
24 didn't feel comfortable doing it because I believe in
25 God. And she said, "Yeah, so do I, but it's a

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1 quarter. Every course is a quarter."

2 And I told her, "I don't need that quarter."

3 Q Then after that she didn't make you do it
4 anymore?

5 A Well, she kept bringing it up for weeks, and
6 I kind of played it off.

7 Q How many weeks did she bring it up?

8 A The first month. I want to say the first
9 two months.

10 Q And then after that she let it go?

11 A No. She would bring it up seldomly.

12 Q How often?

13 A Every couple weeks. She would say, "Hey,
14 you haven't done any of your courses."

15 And I said, "Okay." I kept telling them I'm
16 not really interested.

17 Q And what would she say when you said you
18 weren't interested?

19 A She said that, "You should do it. You would
20 get a 25-cent raise."

21 And I'm like, "I don't really need the
22 25-cent raise."

23 And she said she's already up to \$14. So
24 she probably did eight courses.

25 Q Okay. So the only thing she'd say in

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1 response was that you could get a raise?

2 A Yeah.

3 Q So she was encouraging you to do the course
4 work so that you could get paid more money?

5 A Yeah.

6 Q Did she ever say you should do it because of
7 Scientology?

8 A Well, no, she didn't say that exactly. She
9 just told me that I should do it because everyone
10 else does it, along with the 25 cent-raise.

11 Q Were you ever disciplined for not doing it?

12 A No, not disciplined. No.

13 Q Just to be clear, when I say "not doing it,"
14 I mean you were never disciplined for not doing the
15 course work, correct?

16 A Not -- like, I wasn't getting in trouble or
17 anything. I did get a little bit of like a -- I
18 don't know, I guess rude in a way, but not really
19 disciplined, no.

20 (Defendant's Exhibit B was marked for
21 identification.)

22 BY MS. GINAPP:

23 Q You have been handed what's been marked as
24 Exhibit B. Take a look at it. And once you're done
25 looking at it, let me know. We can discuss it.

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1 A Yeah.

2 Q Do you recognize this document?

3 A I do.

4 Q And what is it?

5 A This is an EEOC, the complaint I filed.

6 Q I believe it's called a Charge of

7 Discrimination. Does that sound familiar?

8 A Yeah.

9 Q Okay. It says Charge of Discrimination at
10 the top. Do you see that?

11 A Uh-huh.

12 Q Is that a yes?

13 A Yes.

14 Q And at the bottom, it says December 15,
15 2015, and there's a signature there. Is that your
16 signature?

17 A Yes.

18 Q Do you remember signing this document?

19 A I do.

20 Q Did you review and approve this document
21 before you signed it?

22 A I did.

23 Q And is this a true and accurate copy of the
24 Charge of Discrimination you filed with the Nevada
25 Equal Rights Commission and the EEOC?

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1 A Yes.

2 Q And on the first two pages of the document
3 is a summary of your claims of discrimination,
4 correct?

5 A Correct.

6 Q And is it a true recitation of the facts
7 supporting your claim for discrimination?

8 A It is.

9 Q All right. And this charge of
10 discrimination identifies two claims: one for
11 disability discrimination and one for religious
12 discrimination, correct?

13 A Correct.

14 Q But you are only pursuing the religious
15 discrimination claim, correct?

16 A Yeah.

17 Q Do you know why you haven't filed a lawsuit
18 with regard to the disability discrimination claim
19 alleged in this document?

20 MS. BARRAZA: Object, to the extent it calls
21 for attorney-client privileged conversations.

22 So you can answer as long as your answer
23 doesn't include any conversations between your
24 attorney.

25 ///

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1 BY MS. GINAPP:

2 Q I'm not asking for what you talked about
3 with your attorney. I'm asking for what your
4 understanding is.

5 A My understanding is that it's both.

6 Q Did you have an attorney at the time that
7 you filed the Charge of Discrimination with the EEOC
8 and the Nevada Equal Rights Commission?

9 A I already had them. I just -- I had to do
10 this first.

11 Q So the question is, at the time that you
12 filed this Charge of Discrimination, had you retained
13 an attorney?

14 A Yes.

15 Q And was it the firm that you're currently
16 with?

17 A Yes.

18 Q How did you find the attorneys that
19 currently represent you?

20 A My personal injury referred me to them.

21 Q And when did you retain counsel for this
22 litigation?

23 A It was October. I got fired October 9th, so
24 it was about -- it was, I want to say, the week after
25 that. It was on a Friday, so the week after.

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1 Q The week following your termination?

2 A Yes.

3 Q You were terminated on a Friday?

4 A Uh-huh.

5 Q And the next week you got counsel?

6 A Yes.

7 Q And was it the beginning of the week, the
8 middle of the week, or the end of the week?

9 A I don't recall the exact date, but I think
10 it was either Monday through Wednesday.

11 Q At the time, on the day that you were
12 terminated, did you believe that you had been
13 discriminated against based upon your religious
14 beliefs?

15 A Yes.

16 MS. GINAPP: I'm going to take, like, a
17 ten-minute break. Is that okay?

18 THE WITNESS: Okay.

19 THE VIDEOGRAPHER: The time is approximately
20 10:44 a.m. We are going off the record.

21 (Off the record.)

22 THE VIDEOGRAPHER: The time is approximately
23 10:58 a.m. We are back on the record.

24 BY MS. GINAPP:

25 Q Can you describe the application and hiring

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1 process that you went through at Real Water?

2 A I applied online, Craigslist.

3 Q You found them on Craigslist?

4 A Yes. I think they called me a month or so
5 later. And then I interviewed with Jeremy.

6 Q With who?

7 A Jeremy.

8 Q Jeremy Edgel?

9 A Yes. And then after that he said -- he said
10 that I was hired except I had to be seen by his boss,
11 which is Anthony at the time. I'm not sure if he
12 still works there. And then I got hired.

13 Q When you say you had to be seen, what does
14 that mean?

15 A Interview me.

16 Q Oh, okay. So you were interviewed by
17 Anthony too?

18 A Uh-huh.

19 Q Do you remember what Anthony's last name is?

20 A No.

21 Q Do you remember what Anthony's position was?

22 A I want to say he was a sales manager.

23 Q Do you know what Jeremy's position was?

24 A At the time, no. I know he was higher than
25 Jeremy. He was Jeremy's higher.

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1 Q During either of the interviews, did either
2 Jeremy or Anthony discuss with you the organizational
3 structure or the management techniques that the
4 company used?

5 A No.

6 Q Did either of them discuss Scientology?

7 A No.

8 Q Did either of them discuss L. Ron Hubbard?

9 A No.

10 Q Were there any discussions regarding the
11 owners of the company?

12 A Not really. He just -- Jeremy just
13 mentioned that Brent Jones was in politics, as well
14 as Jeremy.

15 Q That Jeremy was in politics as well?

16 A Uh-huh.

17 Q Was he any more specific than that?

18 A No.

19 Q Prior to interviewing with Real Water, did
20 you know that Brent Jones was in politics?

21 A No.

22 Q Other than the political science course that
23 you took, do you have any connections to any
24 politicians in the state of Nevada?

25 A (Witness shakes head.)

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1 Q Is that a no?

2 A I'm just friends with Ruben Kihuen. I've
3 known him since my first year of college, since he
4 was a counselor there or an advisor.

5 Q At CSN?

6 A Yeah.

7 Q And I've seen his name on TV, but I can't
8 remember. Do you know how to spell his last name?

9 A K-I-H-U-E-N.

10 Q And he is currently running for political
11 office, right?

12 A Correct.

13 Q Any other politicians that you know?

14 A No.

15 Q And just so the record is clear, do you know
16 Brian Sandoval?

17 A No.

18 Q Do you know who he is?

19 A No.

20 Q Do you know Mark Hutchison?

21 A No.

22 Q Do you know who he is?

23 A No. I only heard of Brian Sandoval because
24 of the media story that was on there. I believe that
25 was him.

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1 Q Okay.

2 A But I've never heard of him before that.

3 Q So how long was the interview process? Did
4 you meet with Jeremy and Anthony on the same day?

5 A No. I met with Jeremy first and then
6 Anthony a couple days later.

7 Q Okay. And how long after you met with
8 Anthony were you offered the job?

9 A That same day, that I could start the next
10 day.

11 Q And did you start the next day?

12 A Yes.

13 Q So were you offered the job on approximately
14 March 9, 2015?

15 A No. It was like March -- I want to say it
16 was around St. Patty's Day. It feels like
17 March 15th. Was March 9th the day he interviewed me?

18 Q That's what I'm asking. Do you recall?

19 A I don't think so, no. I think it might have
20 been prior to that, a little bit before the 15th.

21 Q Did you do any paperwork on the day that you
22 were offered the job?

23 A Not the day of, no.

24 Q The next day?

25 A When I -- the first day I -- he gave me a

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1 packet.

2 Q Who's he? Anthony?

3 A Jeremy.

4 Q Oh, Jeremy.

5 A Anthony wasn't -- he was there but he was
6 busy, so Jeremy was the one who took care of me. He
7 gave me a packet to skim through, and then I signed
8 it. And then he put the videos on. And then I gave
9 it back to him, the packet.

10 Q So Jeremy put the videos on?

11 A He told the receptionist, Yanyeli, to do so.
12 And he left, and she was the one switching the
13 videos. But he gave me -- or he told her to give me
14 some -- the questionnaire of each video.

15 Q Okay. So let me make sure I understand the
16 timeline.

17 So the day after you were offered the job,
18 you came in to work for your first day, correct?

19 A I want to -- if I'm not -- if I'm mistaken,
20 it was -- it was a few days later. But I know that
21 when I started was around, like, St. Patrick's Day.
22 I'm almost sure it was the 15th, between -- around
23 there.

24 Q Okay. So do you remember what time you came
25 in?

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1 A I'm not -- it was in the morning. I don't
2 recall.

3 Q And as soon as you came in, you were met by
4 Jeremy and he gave you a packet of documents?

5 A It was, yeah, the -- just, I guess, their
6 packet. And he told me to skim through it and sign
7 it and just give it back to him. So I did. And
8 immediately right after that he gave me -- he told
9 Yanyeli to put the videos on and then the paperwork
10 that goes with each video.

11 Q Okay. What was in the packet?

12 A It was about what my job duties were. And
13 then I want to say one of the packets was talking
14 about, like, independent contracting. But I didn't
15 sign that because I was working for Real Water, not
16 independent contractor.

17 Q Was there the traditional new hire
18 paperwork, like what's your address?

19 A Yeah.

20 Q Contact information?

21 A Uh-huh.

22 Q Tax forms?

23 A Yes.

24 Q Did you have to fill out the I-9 immigration
25 form with the -- where you have to present your

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1 social security card or other documentation that

2 shows you're eligible to work? Was that then?

3 A I don't think so. I just gave him my ID.

4 Yeah, I don't even think I gave him my social

5 security. I don't remember giving them. I might

6 have. I doubt it.

7 Q All right. Anything else that you can

8 recall that was in that packet?

9 A No.

10 Q And then you did the videos. And then after

11 you watched the videos, what did you do then?

12 A After each video, I had to answer questions

13 about them.

14 Q So after you did all that, all the

15 questionnaires for the videos, what -- what did you

16 do after the videos were over and the questionnaires

17 were done?

18 A I went home.

19 Q How long were you there that day?

20 A Almost a full eight hours. I want to say it

21 was seven to eight hours.

22 Q And all you did was watch the videos and

23 fill out paperwork?

24 A Yeah. And then lunch break.

25 Q How long did it take you to fill out the

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1 paperwork?

2 A Like 15 minutes, if that, after every video.

3 Q No. I'm sorry. The initial paperwork that
4 he gave you, the packet of stuff, the new hire
5 paperwork.

6 A 20 minutes, give or take.

7 Q And how long -- how many videos did you
8 watch?

9 A I want to say between four and five.

10 Q And how long, with the questionnaires at the
11 end, did it take you to get through all the videos?

12 A Each question -- each paper, you mean?

13 Q No. Just total, the videos. How long did
14 it take for you to watch all of the videos total and
15 do the paperwork?

16 A Probably like five, six hours. Because each
17 video was about an hour, give or take.

18 Q And then you had a lunch break in there.
19 How long did you take for lunch?

20 A I don't remember if it was -- I think it was
21 an hour, yeah.

22 Q Did anyone go to lunch with you, or did you
23 go by yourself?

24 A No. I went by myself.

25 Q Did you meet anybody that day?

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1 A No.

2 Q Did you have any training at all with regard
3 to your job duties besides what you read in the
4 initial packet?

5 A Not that day.

6 Q What about the following day?

7 A Yeah. I started training with Bonnie.

8 Q And what did that training involve?

9 A Showing me where the stores were at and
10 showing me what I should be doing and how I should be
11 doing it.

12 Q Did you have any more paperwork on that
13 second day?

14 A I don't think so.

15 Q Was all of your training individual
16 training?

17 MS. BARRAZA: Objection. Form.

18 THE WITNESS: With her?

19 BY MS. GINAPP:

20 Q Yeah. Was it just you and Bonnie?

21 A Yes.

22 Q Did you have any training that occurred in a
23 group of people?

24 A No.

25 (Defendant's Exhibit C was marked for

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1 identification.)

2 BY MS. GINAPP:

3 Q You have been handed what's been marked as
4 Exhibit C. Please take a look at it. And when
5 you're ready to discuss it, let me know.

6 A Okay.

7 Q Do you recognize this document?

8 A I do.

9 Q What is it?

10 A It was the thing I signed the first day.

11 Q Okay. It's titled "Employment Agreement"?

12 A Right.

13 Q And you signed it on the first day that we
14 discussed. It was part of the packet; is that
15 correct?

16 A Yes.

17 Q And if you turn to the last page, is that
18 your signature on the last page?

19 A Yes.

20 Q And it's dated 3/10/15, correct?

21 A Correct.

22 Q So it would be fair to say your first day
23 was probably March 10, 2015, then?

24 A Yes.

25 Q And looking at the rest of the document, is

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1 this your handwriting on the rest of the document?

2 A Yes.

3 Q And there are various places where there's
4 initials. And those are your initials with marks
5 that you made, correct?

6 A Correct.

7 Q And did you read this document before you
8 marked your initials and signed it?

9 A I skimmed it.

10 Q You had the opportunity to read it?

11 A Yes. I did read it. I skimmed it, then I
12 read it.

13 Q I want to direct your attention to
14 Paragraph 3. Could you please read paragraph marked
15 3 aloud for the record.

16 A "L. Ron Hubbard. I understand that your
17 company utilizes L. Ron Hubbard's management
18 technology in operating the company. I understand
19 that L. Ron Hubbard is also the founder of
20 Scientology, which is an applied religious
21 philosophy. I understand, however, that
22 Mr. Hubbard's management technology is quite separate
23 and distinct from the religious aspects of
24 Scientology."

25 Q And you read that paragraph the day that you

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1 executed this agreement, correct?

2 A Correct.

3 Q And you read that paragraph before you
4 marked your initials directly after it, correct?

5 A Yes.

6 Q And you understand that by initialing, you
7 were representing that you understood the contents of
8 the paragraph, correct?

9 A Correct.

10 Q And you also understand that by initialing,
11 you were representing that you agreed to the terms of
12 the paragraph, correct?

13 A Correct.

14 Q Did you understand the terms of the
15 paragraph?

16 A No. I didn't know who he was.

17 Q Anything else that you did not understand?

18 A No.

19 Q Did you ask anybody who L. Ron Hubbard was
20 before you signed or initialed this agreement?

21 A No.

22 Q Why not?

23 A I didn't even think about it.

24 Q Would it be fair to say that at the time
25 that you signed this -- read this paragraph and

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1 initialed it that it wasn't important to you who

2 L. Ron Hubbard was?

3 A Correct.

4 Q And when you signed this provision, did you
5 agree with the terms of the paragraph?

6 A For that specific paragraph?

7 Q Uh-huh.

8 A Yeah.

9 Q Did you ever express any disagreement to
10 anyone prior to signing it?

11 A No.

12 Q And did you understand at the time that you
13 initialed this paragraph that you were signing a
14 contract and by signing it, you were agreeing to be
15 bound by the terms of the paragraph?

16 A Correct.

17 Q Could you please read Paragraph No. 4 aloud
18 for the record.

19 A "Management technology. I have been
20 informed that this management technology involves
21 principles of organization and its operation,
22 including the handling of personnel, finance,
23 promotion, production, planning and organizational
24 correction, among other things.

25 "As outlined in the summary of L. Ron

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1 Hubbard's management technology, which I read, I
2 further understand and agree that in order to
3 properly function as a team member of your company, I
4 will be required to read, understand and apply this
5 management technology to my job and through my work
6 performance will be evaluated in terms of my ability
7 to do this.

8 "I agree that should I have any objection
9 whatsoever in applying this management technology, I
10 will immediately put this objection in writing, give
11 it personally to my senior supervisor, in order that
12 my personal problem can be handled swiftly and to be
13 benefit of all concerned" -- "and to the benefit of
14 all concerned."

15 Q And at the time you were given this
16 agreement, you read this paragraph, correct?

17 A Yes.

18 Q And by initialing after the paragraph, you
19 were certifying that you had read it, correct?

20 A Correct.

21 Q And you understand that by initialing after
22 the paragraph, you were representing that you
23 understood the contents of the paragraph, correct?

24 A Correct.

25 Q And you also understand that by initialing

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1 after the paragraph, you were representing that you
2 agreed to the terms of this Paragraph No. 4, correct?

3 A Correct.

4 Q Did you understand the terms of the
5 paragraph when you initialed it?

6 A I guess that one goes towards the other one;
7 I had no idea who Ron Hubbard was. I figured it was
8 just . . .

9 Q You figured it was just what?

10 A Nothing important. I mean, I figured it was
11 just something they used.

12 Q Okay. Was that the only thing that you
13 didn't understand about Paragraph 4?

14 A Yes.

15 Q And, again, you didn't express that -- you
16 didn't express that to anyone at Real Water, correct?

17 A No. I mean, no, I didn't see anyone other
18 than Yanyeli that day, besides, you know, in the
19 morning and then when I left.

20 Q But Jeremy gave you the packet, correct?

21 A Right. But he walked out.

22 Q Right after giving you the packet?

23 A Yeah. And then I gave it back to him when I
24 was done.

25 Q Okay. But he came back before you started

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1 watching the videos?

2 A Yeah.

3 Q Okay. And at that time, did you express
4 any -- to him that you didn't understand anything,
5 part of this agreement?

6 A I did not.

7 Q At the time you signed this, did you agree
8 with the terms of the paragraph?

9 A At the time, yes.

10 Q At the time you signed this, did you
11 understand that management technology -- the
12 management technology referenced would be the same as
13 the course work you could do for raises?

14 A No, I did not understand that.

15 Q What did you understand management
16 technology to be at the time that you signed this
17 agreement?

18 A A way they did their business. I didn't
19 think any deep into it when I first signed this.

20 Q And you didn't ask anybody what management
21 technology referenced?

22 A No. I figured I would learn along the way.

23 Q All right. Can you read Paragraph 6 into
24 the record.

25 A "Initial training. This may exclude

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1 bottling employees. During my probationary period, I
2 understand and agree that I must complete the
3 following training courses."

4 Q And then there's a list, A through D, with
5 empty lines, correct?

6 A Correct.

7 Q And then you initialed, correct?

8 A Correct.

9 Q And did you take this to mean that you
10 wouldn't have any initial courses that you were
11 required to take?

12 A Honestly, I just signed it.

13 Q Did you ask anybody what it meant?

14 A No.

15 Q And you understand that by initialing, you
16 were representing that you understood the contents
17 and the terms of Paragraph 6?

18 A What was that?

19 Q By -- I'm sorry. You understand that by
20 initialing this Paragraph 6 that you were
21 representing that you understood the terms and
22 contents of Paragraph 6?

23 A I thought -- yeah. I thought it was just
24 training courses as in me going out and learning. I
25 didn't know it had anything to do with anything else.

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1 Q And you understand that by initialing,
2 you're representing that you agreed to the terms of
3 the paragraph?

4 A Yeah.

5 Q And you did not express to anybody any -- at
6 Real Water any misunderstanding or anything that you
7 did not understand regarding the terms of
8 Paragraph 6, correct?

9 A Correct.

10 Q And you did not specifically ask anybody at
11 Real Water regarding the meaning of training courses
12 prior to initialing, correct?

13 A Correct.

14 Q Can you read Paragraph 7 into the record,
15 please.

16 A "Additional training. After becoming a
17 regular employee, I understand that I will be
18 provided the opportunity to take further courses
19 which will be essential for my advancement, increased
20 earnings in the company."

21 Q And you read this paragraph prior to
22 initialing it, correct?

23 A Yes.

24 Q And you initialed the paragraph after
25 reading it, correct?

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1 A Yes.

2 Q And you understand that by initialing, you
3 were representing that you understood the terms and
4 contents of Paragraph 7, correct?

5 A Correct.

6 Q And you understand that by initialing, you
7 were representing that you agreed to the terms of
8 Paragraph 7, correct?

9 A Correct.

10 Q Did you understand the terms of Paragraph 7
11 at the time that you initialed it?

12 A Yes.

13 Q And did you agree with the terms of
14 Paragraph 7 at the time you initialed it?

15 A Yes.

16 Q Did you understand that this paragraph
17 states that the course work was optional?

18 MS. BARRAZA: Objection. The document
19 speaks for itself, and it misstates what the document
20 says.

21 BY MS. GINAPP:

22 Q I'm asking what you understood.

23 A What I took from this?

24 Q Uh-huh.

25 A I mean, when I read it, I figured it would

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1 be different courses, like learning about the product
2 or learning about, you know, what they do or what my
3 position would be.

4 Q And you did not relate this to the prior
5 provisions regarding management technology at all?

6 A Correct.

7 Q And you didn't ask anybody what the further
8 courses meant prior to initialing, correct?

9 A No. Correct.

10 Q Can you please read Paragraph 8 into the
11 record.

12 A "Freedom of religion. I understand that
13 your company does not permit efforts to convert its
14 employees to any religion on its premises. The
15 position of your company is that its offices are a
16 place of work. It is a policy of your company that
17 its management methods as developed by Mr. Hubbard
18 are purely secular and intended for the smooth
19 expansion of its business and are not be used by its
20 staff or executives in an effort to convert persons
21 to any religion.

22 "Any violation of this rule should be
23 reported at once in writing to my senior supervisor
24 or other individual designation by your company.
25 Nothing in the rules should be construed as violating

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1 a person's freedom of religion while on his/her
2 time."

3 Q "His or her own time," correct?

4 A Correct. "While on his or her time" -- or
5 "own time."

6 Q And you read this provision at the time that
7 you signed the agreement, correct?

8 A Correct.

9 Q And you initialed the paragraph after you
10 read it, correct?

11 A Correct.

12 Q And you understand that by initialing, you
13 were representing that you understood the contents
14 and terms of Paragraph 8, correct?

15 A Correct.

16 Q And that you were agreeing to be bound by
17 the terms of Paragraph 8, correct?

18 A Correct.

19 Q And did you understand the terms of this
20 paragraph at the time that you initialed it?

21 A Half of it.

22 Q What didn't you understand?

23 A I didn't know who he was, Mr. Hubbard, Ron
24 L. Hubbard.

25 Q Anything else?

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1 A No. Everything else I understand.

2 Q And did you agree with the terms of the
3 paragraph at the time you signed it?

4 A Yes.

5 Q And do you understand that this paragraph
6 requires you to report in writing any claim of
7 discrimination based upon religion that you might
8 have had while an employee at Real Water?

9 A Yes.

10 Q And did you do that?

11 A No.

12 Q And why didn't you do that?

13 A I did it verbally, but I didn't do it in
14 paper because even if I did, I don't think it would
15 have gotten anywhere.

16 Q And what do you base that belief on?

17 A They're very unorganized.

18 Q And what is that opinion based on?

19 A The way the desks are and the way that every
20 time I would turn a paper in, either it would get
21 lost or they didn't know where it was or it would
22 take them a minute to find it. A lot of things were
23 scattered.

24 Q So it was based upon your supposition?

25 A Yes.

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1 Q Did anybody ever tell you that they made a
2 written report of discrimination that was lost or
3 misplaced or not acted upon?

4 A No.

5 Q Do you dispute the statement in this
6 paragraph that Mr. Hubbard's management technology is
7 quite separate and distinct from the religious
8 aspects of Scientology?

9 A Do I understand?

10 Q Do you dispute it?

11 A Yes.

12 Q Okay. And what is the basis of that
13 dispute?

14 A From what I've seen and read.

15 Q Online?

16 A Yeah.

17 Q From those Google searches that you
18 referenced earlier?

19 A Yes. And it's still part of Scientology.

20 Q What do you mean? And what's still part of
21 Scientology?

22 A The management technology.

23 Q And are you an expert on Scientology?

24 A No.

25 Q Okay. So what do you base that belief on

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1 that it's part of Scientology?

2 A It says on the paragraph that it's part of
3 Ron L. Hubbard's work.

4 Q So is it your opinion that simply because
5 someone authors religious text that any other text
6 that they may author always have to be religious in
7 nature?

8 A No. But -- no.

9 Q So would you agree with me that it is
10 possible that L. Ron Hubbard authored works that are
11 religious in nature but also authored works that are
12 not religious in nature?

13 A Yes.

14 Q And it is possible that the management
15 technology referenced here was part of the secular or
16 not religious works that he authored?

17 A Okay.

18 Q No. Is that possible, yes or no?

19 A Yes.

20 Q What did you do to verify the authenticity
21 of the websites that you visited regarding
22 Scientology when you did your Google searches?

23 A The authenticity?

24 Q Yeah.

25 A What do you mean by that?

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1 Q How did you verify that the information that
2 you found on those websites was correct?

3 A I figured it was online. I mean, a lot of
4 things aren't real online, but there's also a lot of
5 things, important things that are real online. And
6 that's, like, the number one information area.

7 Q Okay. So how did you determine that the
8 websites that you were visiting were the ones that
9 were real and authentic and correct?

10 A Well, most of the websites that I -- they
11 had similar writing. Like they talked about the
12 similar things.

13 Q So because they were saying the same things,
14 you decided they must be true?

15 A Yes.

16 Q Did you Google any of the actual websites to
17 see if any other websites had said that they were
18 false?

19 A No.

20 Q Can you read Paragraph 10 aloud into the
21 record.

22 A "Mediation and binding arbitration of
23 disputes. I understand and agree that any claim of
24 any nature arising out of or connected with my
25 employment at the company, including but not limited

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1 to termination, claims of age discrimination, sexual
2 harassment, religious discrimination or civil rights
3 violations, and questions of arbitrability shall be
4 resolved through a two-step dispute resolution
5 process administered by the applicable procedures of
6 American Arbitration Association, involving first
7 mediation before a mediator or panel of mediators
8 followed, if necessary, by final and binding
9 arbitration before the same, or if requested by
10 whether party another panel from the AAA.

11 "By entering this" -- "by entering into this
12 contract, both parties are giving up their
13 constitutional right to have any such dispute decided
14 in a court of law before a judge or jury and instead
15 are accepting the use of mediation and arbitration.

16 "The demand of mediation must be in writing
17 and must be made by the agreed party within 60 days
18 of the event giving rise to the demand. A request
19 for dispute resolution from the initiate form" -- "a
20 request for dispute resolution form to initiate the
21 mediation process can be made available from our
22 company. The mediation and, if necessary, the
23 arbitration shall take place in the state and country
24 in which I was employed by our company at the time of
25 the event giving rise to the demand.

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1 "The arbitration's power to award a remedy
2 shall be limited to awarding monetary damages for
3 lost wages and/or benefits and damages. The decision
4 of the arbitrator shall be binding and conclusive on
5 the parties and not reviewable for error of law or
6 legal reasoning of any kind. Judgment upon the
7 reward rendered by the arbitrator may be entered in
8 any court handling proper jurisdiction.

9 "Each party to the mediation arbitrator
10 shall bear their own costs, including attorneys'
11 fees. The fees for the mediator or arbitrator should
12 be paid equally by both parties. If the company and
13 I agree, we can choose a mediation to arbitration
14 process other than the AAA.

15 "I understand that nothing in this Paragraph
16 10 of the employment agreement shall restrict the
17 company's right to fully enforce through the
18 appropriate courts the terms of any confidentiality
19 agreement between the company and itself."

20 Q And you read this paragraph prior to
21 initialing it, correct?

22 A Correct.

23 Q And you understand that by initialing, you
24 were representing that you understood the terms of
25 the paragraph, correct?

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1 A Correct.

2 Q And you understand that by initialing, you
3 were representing that you agreed to the terms of the
4 paragraph, correct?

5 A Correct.

6 Q And at the time that you initialed this
7 paragraph and executed this agreement, did you
8 understand the terms of Paragraph 10?

9 A No.

10 Q And did you ask anybody about the meaning of
11 the terms of Paragraph 10 prior to initialing?

12 A I didn't.

13 Q And why did you not do that?

14 A I figured I would not need it.

15 Q Going back to the paragraph, looking at
16 Paragraph 10 in the middle, there's a bolded section
17 that states, "By entering into this contract, both
18 parties are giving up their constitutional right to
19 have any such dispute decided in a court of law
20 before a judge or jury and instead are accepting the
21 use of mediation and arbitration."

22 Did you understand that sentence?

23 A I did not.

24 Q What don't you understand about that
25 sentence?

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1 A I didn't know what it mean -- I didn't know
2 what it meant.

3 Q At all?

4 A At all.

5 Q Specifically, what terms did you not
6 understand?

7 A The whole thing.

8 Q You understood that this was a contract
9 you're entering into, correct?

10 A Correct.

11 Q And you understood that "both parties" meant
12 you and Real Water, correct?

13 A Correct.

14 Q And you understand what giving up means,
15 correct?

16 A Yes.

17 Q Right. And did you understand what a
18 constitutional right was?

19 A Well, I'm not sure what it was talking
20 about.

21 Q Okay.

22 A I wasn't 100 percent sure, actually, at all.

23 Q All right. So it specifically says "their
24 constitutional right to have such dispute." You know
25 what a dispute is, correct?

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1 A A disagreement?

2 Q Right.

3 A Yes.

4 Q "Decided in a court of law," you understand
5 what "decided in a court of law" means, correct?

6 A Yes.

7 Q And you understand what the term -- what the
8 phrase "before a judge or jury" means, correct?

9 A Yes.

10 Q Okay. So you understood that this was an
11 agreement where you gave up your right to have a
12 disagreement between you and Real Water decided by a
13 court of law before a judge or jury. You understood
14 that portion, correct?

15 A Up until now. I didn't understand that
16 before.

17 Q Did you make an attempt to understand it?

18 A No.

19 Q Why not?

20 A I figured I wouldn't need it.

21 Q Did you understand what mediation and
22 arbitration was?

23 A No.

24 Q Did you ever ask anybody?

25 A No.

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1 Q Did you ask anybody that night at home?

2 A No.

3 Q You'd previously worked at a law firm,
4 correct?

5 A Correct.

6 Q And mediation was not something that you
7 were familiar with from working at a law firm?

8 A No. I was a legal assistant. I just did
9 paperwork.

10 Q You weren't involved in scheduling anything?

11 A No.

12 Q It was a personal injury firm; is that
13 correct?

14 A Yes.

15 Q And were those cases subject to arbitration?

16 A I suppose.

17 Q What type of -- what type of paperwork did
18 you do at the law firm?

19 A I just basically -- I, like, put it away. I
20 put it in order. I sometimes helped with, like, the
21 doctor's notes or, like, the doctor's stuff. I would
22 call doctors, but I wouldn't do anything legal on my
23 end.

24 Q So you did filing?

25 A A little more than filing, yes.

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1 Q Okay. So you did filing. You did
2 scheduling sometimes?

3 A No.

4 Q No.

5 You worked in a law firm, and you didn't
6 know the term "mediation"?

7 MS. BARRAZA: Objection. Asked and
8 answered.

9 BY MS. GINAPP:

10 Q You can answer.

11 A Yeah, I didn't know.

12 Q And you worked in a law firm, but you didn't
13 know the meaning of the term "arbitration"?

14 A Correct.

15 Q Okay. And you didn't understand what it
16 meant for some dispute to be decided in a court of
17 law before a judge or a jury?

18 A I understood -- I mean, I didn't really look
19 too deep into this paragraph at all. I never thought
20 I would need it.

21 Q Okay. So when you signed it, you didn't
22 really even think about it at all?

23 A I didn't.

24 Q As you sit here today, do you have any
25 reason to believe you should not be bound by the

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1 terms of Paragraph 10?

2 A What do you mean?

3 Q You testified that this was a contract that
4 you intended to be bound to, correct?

5 A This?

6 Q Yes.

7 A I'm not sure how to answer that.

8 Q You understand that this is a contract,
9 correct?

10 A This? Yes.

11 Q And when you signed it, you were intending
12 to be bound by the terms of the contract, correct?

13 A Correct.

14 Q Is there any reason as you sit here today
15 that you believe you should not be bound to the terms
16 of Provision 10?

17 MS. BARRAZA: Objection. Calls for a legal
18 conclusion.

19 BY MS. GINAPP:

20 Q I'm not asking for a legal conclusion. I'm
21 asking for your factual reasons why.

22 A Like, do I still go by this contract?

23 Q Yeah.

24 A Right now?

25 Q Yeah.

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1 A I don't work there anymore.

2 Q I understand. But is there a reason that
3 you believe that you should not be bound by this
4 provision just because you don't work there anymore?

5 A Yeah. I didn't take it serious. I didn't
6 really understand it.

7 (Defendant's Exhibit D was marked for
8 identification.)

9 BY MS. GINAPP:

10 Q Go ahead and review what has been handed to
11 you and marked as Exhibit D. And when you're ready
12 to discuss it, please let me know.

13 A Okay. Okay.

14 Q Do you recognize this document?

15 A Yes.

16 Q And can you tell me what it is?

17 A It was the other part of the employment
18 agreement.

19 Q So this is another document titled
20 "Employment Agreement" that you were presented with?

21 A Correct.

22 Q And is it your handwriting and your initials
23 on all of these pages?

24 A Yes.

25 Q And turning to the back page, Page 9 of the

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1 document, marked Real Water 28, RW28, is that your
2 signature?

3 A Yes.

4 Q Okay. And it's dated 3/11/15, correct?

5 A Correct.

6 Q So you signed this the day after you signed
7 Exhibit C, correct?

8 A Right.

9 Q Okay. And so this would have been provided
10 to you on your second day of employment?

11 A Yes.

12 Q And was it provided to you by Jeremy Edgel?

13 A Yes.

14 Q And did you read this document prior to
15 signing it?

16 A I skimmed through it.

17 Q Did you have the opportunity to read it
18 prior to signing it?

19 A Yes.

20 Q And can you explain the circumstances where
21 this was presented to you to sign?

22 A I don't remember. It might have been when I
23 first went in there, the next day, when I first went
24 into the office, which might have been after the run.

25 Q I'm sorry. After the run?

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1 A Yeah, with me and Bonnie.

2 Q Okay. So you believe that you went out on a
3 run, meaning what?

4 A I met her at a store, and we drove in her
5 car, in the car that she had.

6 Q A Real Water car?

7 A Uh-huh.

8 Q And then after that you went into the main
9 office?

10 A Correct.

11 Q Alone or with Bonnie?

12 A I think she went -- I don't remember. I
13 think she -- she might have been with me.

14 Q Okay. And you think it's then that you were
15 given this document?

16 A Yes.

17 Q And do you remember if there was any
18 discussion regarding this document when you were
19 given it?

20 A No. He just handed it to me, and I just
21 signed it.

22 Q All right. And you're sure it was Jeremy
23 that handed it to you?

24 A No, I'm not sure. It might have been the
25 girl in the front, Yanyeli. Or it could have been

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1 him.

2 Q Was there an HR person at the time that you
3 started at Real Water?

4 A Yes, there was. Melissa.

5 Q Melissa.

6 A She might have been the one who gave me
7 this.

8 Q Do you have a recollection of Melissa giving
9 you any paperwork or being involved in your new hire
10 transition?

11 A Yeah. I got the paperwork from Yanyeli, and
12 then I turned it in to Melissa.

13 Q The paperwork on the first day?

14 A Yes -- no, not this one.

15 Q Not Exhibit C?

16 A Yeah. I think I gave her my W -- my tax --
17 my tax form.

18 Q And she may have given you this Exhibit D,
19 correct?

20 A Correct.

21 Q And Melissa's last name is Nava; is that
22 correct, or do you remember?

23 A I think so.

24 Q I'm sorry. I can't remember if I asked, did
25 anyone explain to you why they were giving you this

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1 paperwork?

2 A No.

3 Q Okay. Did you ask why you were given this
4 agreement?

5 A No. I just figured it was -- since it was
6 my first few days, I figured I needed to fill it out
7 to work there.

8 Q All right. When you looked at this
9 document, did you understand it to be a contract?

10 A Yeah. It seemed to be like the other one.

11 Q So you did understand it to be a contract,
12 then?

13 A Yeah, basically.

14 Q All right. Turn to the second page. Can
15 you read No. 3 aloud into the record.

16 A "I understand that company uses the
17 management and ethics technologies developed by
18 L. Ron Hubbard. I understand that L. Ron Hubbard is
19 the founder of Scientology, which is an applied
20 religious philosophy.

21 "However, I also understand that while these
22 technologies were originally developed by Mr. Hubbard
23 for immediate application within the Scientology
24 religion, these technologies as applied at the
25 company are separate and distinct from the

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1 Scientology religion."

2 Q And you read this paragraph or had the
3 opportunity to read it prior to initialing it,
4 correct?

5 A Correct.

6 Q And that is your -- those are your initials
7 by marks that you made next to Paragraph 3?

8 A Yes.

9 Q Okay. And you understand that by
10 initialing, you were representing that you understood
11 the terms of the paragraph?

12 A Yes.

13 Q And do you understand that by initialing,
14 you were representing that you agreed to the terms of
15 the paragraph?

16 A Correct.

17 Q Now, earlier you testified that after
18 watching the videos the first day, you went home or
19 to school and you Googled L. Ron Hubbard and
20 Scientology, correct?

21 A Correct.

22 Q So when you initialed this paragraph, that
23 was after you had done your Google search, correct?

24 A Yes.

25 Q Okay. And you still went ahead and signed

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1 it, correct?

2 A Correct.

3 Q When you initialed Paragraph 3, did you
4 understand the terms of the paragraph?

5 A Kind of. Not really.

6 Q What didn't you understand?

7 A I still wasn't -- I didn't know what ethics
8 technologies were.

9 Q Okay. Did you ask anybody?

10 A No.

11 Q And why not?

12 A I just signed it.

13 Q And when you read Paragraph 3, did you agree
14 with the terms of the paragraph?

15 A Yes.

16 Q Can you please read Paragraph 4 into the
17 record.

18 A "I have been informed and understand that
19 Hubbard management and ethics technologies as applied
20 by company consists of principles of organization and
21 its operation, including, but not limited to,
22 personnel, finance, promotion, production, planning,
23 statistics and organizational correction."

24 Q And you read this paragraph before
25 initialing, correct?

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1 A Yes.

2 Q And you initialed the paragraph after
3 reading it, correct?

4 A Yes.

5 Q And you understand that by initialing, you
6 were representing that you understood the terms of
7 Paragraph 4, correct?

8 A Correct.

9 Q And you understood that by initialing, you
10 were representing that you agreed to the terms of
11 Paragraph 4, correct?

12 A Correct.

13 Q Did you understand the terms of Paragraph 4
14 when you signed it?

15 A No. It was the same as 3.

16 Q Okay. The ethics -- the management and
17 ethics technology, you didn't understand that?

18 A Correct.

19 Q And you didn't ask anybody, correct?

20 A I didn't.

21 Q Did you agree with the terms of Paragraph 4
22 when you signed it?

23 A Yes.

24 Q And on the date that you signed -- sorry.
25 Strike that.

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1 Can you read Paragraph 5 aloud into the
2 record.

3 A "I further understand that in order to
4 properly function as an employee of company, I will
5 be required to read, understand and apply these
6 technologies to my job and that my work performance
7 will be evaluated in terms of my ability to do this.

8 "I agree that if I should have any objection
9 whatsoever in applying these management ethics
10 technology, I will immediately put this objection in
11 writing and give it to personnel, give it personally
12 to the director of personnel in order that any
13 personnel problem can be handled swiftly to the
14 benefit of all concerned."

15 Q And you read this paragraph or had the
16 opportunity to read it before initialing next to it,
17 correct?

18 A Correct.

19 Q And you initialed the paragraph after
20 reading it, correct?

21 A Correct.

22 Q And you understood that by initialing, you
23 were representing that you understood the terms of
24 Paragraph 5, correct?

25 A Correct.

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1 Q And you understood that by initialing, you
2 were representing that you agreed to the terms of
3 Paragraph 4, correct?

4 A Correct.

5 Q I'm sorry, Paragraph 5, correct?

6 A Correct.

7 Q And did you understand the terms of
8 Paragraph 5?

9 A No.

10 Q What didn't you understand about the terms
11 of Paragraph 5?

12 A Well, I hadn't really worked there, so I
13 didn't understand how they worked. So the whole
14 Hubbard management ethics, I wasn't really aware of.

15 Q Okay. Anything else about Paragraph 5 that
16 you didn't understand?

17 A No.

18 Q Did you understand the sentence, the last
19 sentence, "I agree that should I have any objection
20 whatsoever in applying these management and ethics
21 technologies, I will immediately put this objection
22 in writing and give it personally to the director of
23 personnel in order that any personnel problem can be
24 handled swiftly to the benefit of all concerned"?

25 A Yes, I did understand it.

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1 Q And would you agree that later on you felt
2 like you had an objection to applying the management
3 technologies?

4 A Yes.

5 Q Okay. And would you agree that you did not
6 put this objection in writing, give it personally to
7 the director of personnel?

8 A Correct.

9 Q And just to break it down a little bit more,
10 you did not put it in writing at all, did you?

11 A No.

12 Q And did you ever communicate any objection,
13 whether orally or in writing, to the director of
14 personnel at Real Water?

15 A No. I dealt mostly with Bonnie. All my
16 complaints were to her.

17 Q And you never went beyond Bonnie?

18 A No. Jeremy was hardly ever there. Or I was
19 out on the road, so I just talked to Bonnie.

20 Q You never went to anybody in human resources
21 to complain or give -- voice your objection?

22 A No.

23 Q Why not?

24 A I'm not really sure who was at human
25 resources at the time.

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1 Q Well, you know that Melissa was in human
2 resources at the time that -- or you believe that
3 Melissa Nava was in human resources at the time that
4 you started, correct?

5 A Correct. But --

6 Q You never went to Melissa?

7 A No. I would always have to go to Bonnie,
8 every complaint or any questions or anything that I
9 had. And then she would -- she directed me to tell
10 her any issues or anything I had to tell her, and
11 then she would go further on and tell whoever she
12 needs to.

13 Q Okay. But you never attempted to discuss
14 directly with anybody in HR personnel or in
15 management your objections?

16 A No.

17 Q Can you read Paragraph -- or sorry.
18 Anything else about Paragraph 5 that you didn't
19 understand?

20 A No.

21 Q And when you signed this agreement, did you
22 agree with the terms of the paragraph?

23 A Yes.

24 Q Can you read Paragraph 6 into the record.

25 A "I have been informed that production as

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1 measured by statistics is one of the key factors used
2 to judge my performance and that a rise in production
3 will be important in achieving regular posting after
4 the initial 90-calendar-day new-employee-training
5 period, as well as in any subsequent advancement.

6 "I have also been informed that declining
7 production or production" -- "or production that
8 levels off over a long period of time may become
9 grounds for dismissal."

10 Q And you read that paragraph or had the
11 opportunity to read it at the time you initialed and
12 signed this document, correct?

13 A Yes.

14 Q And when you initialed Paragraph 6, you
15 initialed it after reading it, correct?

16 A Correct.

17 Q And you understood that by initialing, you
18 were representing that you understood the terms of
19 Paragraph 6, correct?

20 A Correct.

21 Q And you understood that by initialing, you
22 were representing that you agreed to the terms of
23 Paragraph 6, correct?

24 A Correct.

25 Q And did you understand the terms of

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1 Paragraph 6?

2 A Yes.

3 Q And did you agree with the terms of
4 Paragraph 6 at the time you signed?

5 A Yes.

6 Q Can you read Paragraph 7 aloud into the
7 record.

8 A "During my 90-day calendar" -- "during my
9 90-calendar-day initial training period, I understand
10 that I must complete the following training actions:
11 A, become familiar with the duties and functions of
12 my assigned position; B, complete during scheduled
13 work time any required corporate training, which at a
14 minimum includes the course Basic Hat for Employees;
15 and C, familiarize myself with the company's
16 organizing board and company's administrative
17 procedures."

18 Q And you read that Paragraph 7 or had the
19 opportunity to read Paragraph 7 prior to initialing
20 and executing the agreement, correct?

21 A Yes.

22 Q And you actually initialed that paragraph
23 after reading it, correct?

24 A Correct.

25 Q And you understood that by initialing, you

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1 were representing that you understood the terms of
2 Paragraph 7, correct?

3 A Correct.

4 Q And you understood that by initialing, you
5 were representing that you agreed to the terms of
6 Paragraph 7, correct?

7 A Correct.

8 Q And did you understand the terms of
9 Paragraph 7 when you initialed it?

10 A Yes. I figured I did, but I -- I figured it
11 was just a training.

12 Q And did you agree with the terms of
13 Paragraph 7 when you initialed it?

14 A Yes.

15 Q Okay. Did you actually complete a course or
16 have the opportunity to complete a course called
17 "Basic Hat for Employees"?

18 A No.

19 Q Okay. Can you read No. 8 aloud into the
20 record.

21 A "After regular posting, I understand that I
22 will be provided the opportunity to take further
23 courses which will be essential for any advancement
24 or increased earnings in the company. I understand
25 and agree that although company may choose in its

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1 sole discretion to increase wages, promote, commend
2 or favorably review my performance as a result of my
3 production statistics and other objective factors,
4 neither my length of employment service, any such
5 company benefit, or any other benefit shall in any
6 way be interpreted or implied to modify my at-will
7 employment status."

8 Q Did you read this paragraph or have the
9 opportunity to read it prior to initialing and
10 executing the agreement?

11 A Yes.

12 Q And when you initialed the agreement, was it
13 after you read Paragraph 8?

14 A Correct.

15 Q And you understood that by initialing by
16 Paragraph 8, you were representing that you
17 understood the terms of Paragraph 8, correct?

18 A Correct.

19 Q And you understood that by initialing, you
20 were representing that you agreed to the terms of
21 Paragraph 8, correct?

22 A Correct.

23 Q And did you understand the terms of the
24 paragraph when you initialed?

25 A I think so.

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1 Q And did you agree with the terms of the
2 paragraph when you initialed it?

3 A Yes.

4 Q And did you understand this provision to
5 state that you would have an opportunity but would
6 not necessarily be required to take courses?

7 MS. BARRAZA: Objection. The document
8 speaks for itself. Misstates what the document says.

9 BY MS. GINAPP:

10 Q I'm asking what you understood. You can
11 answer.

12 A I didn't know they were going to be about
13 the courses.

14 Q Okay. So even though it discusses courses,
15 you didn't realize this provision was about courses?

16 A It doesn't say what kind.

17 Q And you didn't ask anybody?

18 A I didn't.

19 Q Can you read Paragraph 9 into the record,
20 please.

21 A "I understand that company does not permit
22 efforts to convert its employees to any religion on
23 its premises. The position of company is that its
24 offices are a place of work. It is the policy of
25 company that Hubbard management methods as applied by

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1 company are purely secu- -- secul- -- secul- --
2 secular and intended for the smooth expansion of its
3 business and are not to be used by its staff or
4 executives in an effort to convert persons to any
5 religion.

6 "Any violation of this rule shall be
7 reported at once in writing to the company CEO.
8 Nothing in this rule should be construed as violating
9 a person's freedom of religion or his or her right to
10 choose to find out about" -- "find out about or
11 convert to any religion or seek information about any
12 religion while on his or her time" -- "her own time."

13 Q And you read this paragraph or had the
14 opportunity to read it prior to signing and
15 initialing this paragraph, correct?

16 A Yes.

17 Q And you initialed Paragraph 9 after reading
18 it, correct?

19 A Yes.

20 Q And you understood that by initialing, you
21 were representing that you understood the terms of
22 Paragraph 9, correct?

23 A Correct.

24 Q And you understood that by initialing, you
25 were representing that you agreed to the terms of the

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1 paragraph, correct?

2 A Correct.

3 Q Did you understand the terms of Paragraph 9?

4 A Yeah.

5 Q And did you agree with the terms of

6 Paragraph 9?

7 A I did.

8 Q Did you at any point feel like the company

9 violated Paragraph 9?

10 A Yes.

11 Q Which portion?

12 A It says that the company does not permit
13 efforts to convert its employees to any religion on
14 its premises, yet the videos and the courses are --
15 whether its management technologies or not, it still
16 has religion in it. It's talking about Ron Hubbard's
17 work, and it's somebody who they follow, all of them.

18 Q Every single person at --

19 A The Scientology people, Scientology.

20 Q Who are the Scientology people that you're
21 referencing?

22 A Anybody who follows Scientology.

23 Q Okay.

24 A I know -- I am aware that Brent Jones
25 follows Scientology.

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1 Q Anybody else that you're aware of at Real
2 Water that follows Scientology?

3 A His wife.

4 Q Anybody else?

5 A Bonnie. Well, she followed it because she
6 was told to follow it, or she agrees with anything
7 that they were agreeing with or they wanted her to
8 do. So if they told her to do the courses, she's
9 going to do them, so . . .

10 Q And, again, you're basing this belief
11 completely on the fact that L. Ron Hubbard is the
12 founder of Scientology and he also authored the
13 management technology, correct?

14 A Yes.

15 Q Is there anything else that you're basing
16 this belief on?

17 A No.

18 Q So the second to last sentence says, "Any
19 violation of this rule should be reported at once in
20 writing to the company CEO."

21 Who's your understanding that the company
22 CEO is at Real Water?

23 A Brent Jones.

24 Q Did you at any point ever report a violation
25 of this rule to Brent Jones?

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1 A No. He was hardly ever there.

2 Q Did you at any time report a violation of
3 this rule to anybody at Real Water?

4 A Just Bonnie.

5 Q Okay. And did you at any time put your
6 belief that this rule was violated in writing?

7 A No.

8 Q And the fact that Brent Jones wasn't there,
9 would that matter if you had put this in writing and
10 given it to him?

11 A Possible.

12 Q It's possible that it would matter or
13 wouldn't matter?

14 A That it would matter. I would have given
15 him something.

16 Q But you did not?

17 A I did not.

18 Q So you didn't give him a chance to address
19 it, correct?

20 A Correct.

21 Q Turn to Paragraph 11 and read that into the
22 record.

23 A "Subject to company's rights for restraining
24 order and injunction in Paragraph 10 above, the
25 parties agree that any controversy, dispute or claim

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1 between company and myself out of and/or involving
2 this agreement and/or any other aspect of our
3 employment relationship, except workers' compensation
4 and unemployment insurance claims and actions for
5 allegedly due and unpaid wages protected by
6 California Labor Code Section 229 that cannot be
7 promptly settled by direct communication between me
8 and an authorized company representative shall first
9 be submitted for resolution by mediation through a
10 charter committee; e.g., Charter Committee of Los
11 Angeles or other mediator to be agreed upon by the
12 parties.

13 "The parties shall each pay at least a fair
14 portion of such mediation unless otherwise
15 specifically prohibited by law or unless such cost
16 sharing would reasonably act to deter employee from
17 pursuing any employment-related legal right.

18 "A party's request for petition or for
19 mediation must be in writing and must be submitted to
20 the other party within 90 days following the event
21 giving rise to the event. The mediation shall take
22 place in Clark County, Nevada with a specific
23 location agreed by the parties."

24 Q And you read this paragraph or had an
25 opportunity to read it prior to initialing and

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1 signing it, correct?

2 A Correct.

3 Q And you initialed this paragraph after
4 reading it, correct?

5 A Correct.

6 Q And you understood that by initialing next
7 to Paragraph 11, you were representing that you
8 understood the terms of Paragraph 11, correct?

9 A Correct.

10 Q And you understood that by initialing next
11 to Paragraph 11, you were representing that you
12 agreed to the terms of the paragraph, correct?

13 A Correct.

14 Q And did you understand the terms of this
15 paragraph?

16 A No.

17 Q And, specifically, what didn't you
18 understand?

19 A All of it.

20 Q And did you ask anybody about it?

21 A No.

22 Q Did you agree to the terms of the paragraph?

23 A Yes.

24 Q Can you read Paragraph 12 into the record,
25 please.

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1 A "Except for workers' compensation and
2 unemployment claims and for any actions for allegedly
3 due and unpaid wages, if the best efforts of the
4 parties to mediate a resolution do not result in a
5 settlement of our differences, then subject to
6 company's rights for restraining order and injunction
7 in Paragraph 10 above, any claim or dispute out of
8 and/or involving this agreement and/or any other
9 aspect of our employment relationship not based on
10 the Title VII of the Federal Civil Rights Act of
11 1964, including without limitation any allegation of
12 a wrongful discharge or termination, the
13 discrimination or harassment under the Federal Age
14 Discrimination in Employment Act, the Federal
15 Americans with Disabilities Act, or any other
16 applicable law or see any injury to my physical,
17 emotional or economic interest, non Title VII claims,
18 shall be resolved by binding arbitration pursuant
19 applicable law.

20 "The arbitration shall be" -- "shall be
21 conducted by a neutral arbitrator either in
22 accordance with the model employment arbitration
23 process procedures of the American Arbitration
24 Association, AAA, which are in effect at the time of
25 arbitration or in accordance with the then current

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1 rules and procedures of another third party
2 arbitrator.

3 "The choice between the AAA or other third
4 party as" -- "other third party as arbitrator shall
5 be agreed upon by both parties. Nothing in this
6 agreement to arbitrate employment-related disputes
7 prohibits the employee from submitting a
8 workplace-related administrative claim as permitted
9 by law."

10 Q And you had the opportunity to -- or you
11 read or had the opportunity to read Paragraph 12
12 prior to initialing next to it and signing the
13 agreement, correct?

14 A Correct.

15 Q And you actually initialed the paragraph
16 after reading Paragraph 12, correct?

17 A Correct.

18 Q And you understood that by initialing, you
19 were representing that you understood the terms of
20 Paragraph 12, correct?

21 A Correct.

22 Q And you understood that by initialing, you
23 were representing that you agreed to the terms of
24 Paragraph 12, correct?

25 A Correct.

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1 Q Did you understand the terms of

2 Paragraph 12?

3 A Kind of.

4 Q What didn't you understand?

5 A I didn't really think I would need any of
6 this, so I just signed it.

7 Q Okay. And did you agree with the terms of
8 Paragraph 12?

9 A Yes.

10 Q Can you read Paragraph 13 into the record.

11 A "If the best efforts of the parties to
12 mediate a resolution of any claim based on Title VII
13 of the Federal Civil Rights Act of 1964, Title VII
14 claims do not result in a settlement of our
15 differences, then subject to company rights for
16 restraining order and injunction in Paragraph 10
17 above, the parties shall resolve each dispute one of
18 the following manners: Employee is to select one of
19 the two choices of his or her option."

20 Q Go ahead and read A and B.

21 A "A, I agree that any and all Title VII
22 claims shall be resolved by binding arbitration in
23 the same manner specified for non Title VII claims in
24 Paragraph 12 above and elsewhere in this agreement,
25 or, B, I agree that any and all Title VII claims

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1 shall be resolved in the manner and by the remedy
2 specified by a loss for Title VII claims, including
3 recourse to the courts.

4 "In the event of any Title VII claim, the
5 parties shall each utilize best efforts to agree to a
6 comprehensive post-dispute arbitration agreement for
7 such claims so that it would be resolved by binding
8 arbitration in the same manner specified for non
9 Title VII claims in Paragraph 12 above and elsewhere
10 in this agreement. And so that any and all disputes
11 would be resolved in a single nonjudicial forum."

12 Q And you read this paragraph or had the
13 opportunity to read it prior to initialing it and
14 signing the agreement, correct?

15 A Correct.

16 Q And you initialed the paragraph twice,
17 correct?

18 A Correct.

19 Q And you chose option A, correct?

20 A Correct.

21 Q And you initialed both these after reading
22 them, correct?

23 A Correct.

24 Q And you understood by initialing in these
25 two places, you were representing that you understood

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1 the terms of the paragraph, correct?

2 A Correct.

3 Q And you understood that by initialing, you
4 were representing that you agreed to the terms of the
5 paragraph, correct?

6 A Yes.

7 Q And, specifically, when you initialed next
8 to A, you were certifying that you selected option A
9 versus option B, correct?

10 A Correct.

11 Q And you did have a choice, correct?

12 A Correct.

13 Q And no one told you what to choose, correct?

14 A Correct.

15 Q And did you understand the terms of the
16 paragraph?

17 A I did.

18 Q And did you agree with the terms of the
19 paragraph?

20 A I did.

21 Q And to be clear, by choosing option A versus
22 option B, you chose binding arbitration over pursuing
23 your claims in the court system, correct?

24 A Yes.

25 Q And do you understand what Title VII claims

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1 are?

2 A Yes.

3 Q And do you understand Title VII covers
4 religious discrimination claims such as the ones that
5 you're alleging in the instant lawsuit?

6 A Right.

7 Q And as you sit here today, do you have any
8 reason to believe why you should not be bound by the
9 terms of Paragraph 13 and your choice of binding
10 arbitration?

11 MS. BARRAZA: Objection. Calls for a legal
12 conclusion.

13 THE WITNESS: You're asking me --

14 MS. GINAPP: I'm asking you --

15 THE WITNESS: -- why I picked it?

16 BY MS. GINAPP:

17 Q No. I'm asking, as you sit here today, do
18 you have any reason to believe that you should not be
19 bound by the terms of the paragraph and your choice,
20 any factual reasons?

21 MS. BARRAZA: Same objection.

22 THE WITNESS: I wasn't -- I wasn't planning
23 for things to go the way they did.

24 BY MS. GINAPP:

25 Q Okay. But you did choose binding

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1 arbitration, correct?

2 A Yes. Just like every other job you get, you
3 don't want to -- you never think it's going to get to
4 this.

5 (Defendant's Exhibit E was marked for
6 identification.)

7 BY MS. GINAPP:

8 Q Go ahead. And you don't have to read the
9 whole thing, but just take a look at -- familiarize
10 yourself with Exhibit E that's been handed to you.
11 And let me know when you're ready to discuss it.

12 A Okay.

13 Q Have you ever seen this document before?

14 A I don't recall, to be honest.

15 Q This handbook purports to be ADP basic
16 employment policies. Would you agree with that?

17 A Correct.

18 Q Does any of it look familiar to you?

19 A It might seem familiar because I've seen
20 these at other jobs, but I don't recall seeing this
21 at Real Water.

22 Q Is it your belief that you didn't receive it
23 at Real Water or that you just can't remember if you
24 did?

25 A I don't think I received it, but I honestly

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1 don't remember.

2 Q So, but in general, this looks to be a
3 handbook containing employment policies, correct?

4 A Yes.

5 Q All right. Can you turn to what's marked at
6 the bottom, RW107. It's also marked at the top.
7 There's a policy called "Equal Employment
8 Opportunity," correct?

9 A Correct.

10 Q I'm just going to read Paragraph 3.

11 "The companies will endeavor to accommodate
12 the sincere religious beliefs of its employees to the
13 extent such accommodation does not impose an undue
14 hardship on your company's operations. If you wish
15 to request such an accommodation, please speak to
16 your supervisor."

17 Did you ever request a religious
18 accommodation from Real Water?

19 A No.

20 Q And why not?

21 A I didn't think I needed it.

22 Q As you sit here today, do you think that you
23 needed a religious accommodation?

24 A Yes.

25 Q And when did you determine that you needed a

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1 religious accommodation?

2 A That there would be other ways to get a
3 raise.

4 Q Is it your belief that the only way to get a
5 raise was to convert to Scientology?

6 A To read the courses.

7 Q Okay. There was no other way to get a
8 raise?

9 A Not that I know of, no.

10 Q Okay. Is it your testimony that Real Water
11 did not have merit-based raises?

12 A I don't know. I --

13 Q Did -- go ahead.

14 A I was just told that the raises were if you
15 did the courses.

16 Q Okay. Did you ever ask anybody if there was
17 another way to get a raise?

18 A I did not.

19 Q And why not?

20 A I trusted my supervisor, as I figured
21 because she was a supervisor, she would know what she
22 was talking about.

23 Q And you're talking about Bonnie Mercado?

24 A Yes.

25 Q Did Bonnie tell you there was no other way

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1 to get a raise?

2 A She didn't say anything about it. She
3 always just talked about the courses.

4 Q Turn to the next page, please, marked
5 RW108. At the top there's what's labeled
6 "non-harassment policy"; is that correct?

7 A Yes.

8 Q I'm going to read paragraph -- the second
9 paragraph of that policy.

10 "If you feel that you have been subjected to
11 conduct which violates this policy, you should
12 immediately report the matter to your supervisor. If
13 you're unable for any reason to contact this person
14 or if you have not received a satisfactory response
15 within five business days after reporting the
16 incident of what you perceived to be harassment,
17 please contact the next level manager."

18 I believe your testimony is that you
19 reported this to who you believed to be your
20 supervisor, which was Bonnie Mercado, correct?

21 A Correct.

22 Q And that you were not able to get a
23 satisfactory response; is that correct?

24 A What are we talking about, what exactly?

25 Q Your belief that you were being

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1 discriminated against based upon your religious
2 views?

3 A Correct.

4 Q And you didn't get a satisfactory response,
5 correct?

6 A No.

7 Q Okay. But you did not go anywhere, report
8 it to anybody above her, correct?

9 A Correct.

10 Q And what was the reason that you didn't
11 report it to anybody above Bonnie Mercado?

12 MS. BARRAZA: Objection. Asked and
13 answered.

14 THE WITNESS: Why was the reason I didn't go
15 to Bonnie?

16 BY MS. GINAPP:

17 Q Uh-huh.

18 A Or anybody above Bonnie?

19 Q Anybody above Bonnie.

20 A I don't know. Because she would make me
21 feel -- she would say, "Oh, don't worry. I don't
22 like Scientology either, but I'm doing it anyway."

23 Q Did Bonnie tell you not to go to anybody
24 else and complain?

25 A Well, she thought she was -- because she was

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1 given the position as a supervisor, she figured she
2 basically -- everything had to go to her
3 specifically.

4 Q Is that what she said to you?

5 A Yes.

6 Q She said, "You cannot go beyond me to
7 anybody else"?

8 A No. She didn't say that, but she made it
9 seem that way because every time I did try to talk
10 about work-related things to Jeremy, she would be
11 like, "You should have just told me first."

12 Q And, specifically, when she said this about
13 what you testified to be work-related things, were
14 those work-related things related to the course work
15 or your belief that you were being discriminated
16 against based upon religion?

17 A To her or to somebody else?

18 Q You testified that Bonnie said when you
19 would go to Jeremy about work-related things, that
20 she would say, "You should have just told me first."
21 Was that specifically about the course work?

22 A No. It was specifically on the runs and
23 stuff. Like the runs, the paperwork we submitted
24 every Friday.

25 Q Okay. So nothing having to do with the

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1 course work?

2 A Correct.

3 Q Okay. Nothing having to do with religion?

4 A Correct.

5 Q Was Bonnie mean to you about your concerns

6 about the courses?

7 A She wasn't mean. She just didn't -- you can
8 tell she didn't like it. She had -- she never really
9 tried to be mean, but you can tell it in the tone of
10 her voice that it irritated her or it bugged her with
11 everything that she talked about.

12 Q But she never disciplined you for it,
13 correct?

14 A No. But she constantly would tell me that I
15 should do it and that I have to do it. And I just
16 said, "Okay." And I never really did.

17 Q When you told her, what were the words that
18 you used when you told her that you didn't like it
19 because of the religious reasons?

20 A The course work?

21 Q Yeah. Uh-huh.

22 A I remember we were sitting in the room. At
23 first when she told me, I didn't know what she was
24 talking about. Then when we went in the room and I
25 started reading, and I'm just like, "Why" -- you want

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1 me to tell you exactly how I said it?

2 Q Yeah.

3 A I said, "Why in the hell are we reading this
4 crap? I'm not interested in Scientology. I believe
5 in God."

6 And she -- she turned to me and said, "I
7 know. Me too, but it's a raise."

8 Q Okay. And was that the only time that you
9 said it that way?

10 A No.

11 Q How many other times did you say it?

12 A I don't know exactly how many times, but I
13 did say it. Throughout our relationship, I said it a
14 few times.

15 Q Okay. You said -- you specifically tied the
16 course work to the fact that it was -- you felt it
17 was Scientology?

18 A Yes. And she agreed with me most of the
19 times.

20 Q When was the first time that you said this,
21 what you testified, "Why in the hell are we reading
22 this crap?"

23 A Well, the very first day that I took -- that
24 she took me to that room, which was the Friday after
25 I started.

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1 Q Okay. How long were you reading before you
2 said that?

3 A Probably an hour. Well, no. I left after
4 about an hour. And prior to that, 30 minutes, if
5 that.

6 Q And what were you reading?

7 A I don't recall the name of the book, but I
8 was reading -- I'm not even sure.

9 Q Was it one of the books that you looked at
10 in preparation for your deposition today?

11 A I don't recall if it was one of those or
12 not, but I know that the word "Scientology" was in
13 one of the pages. I know that for -- that's why I
14 said what I said.

15 Q So your main objection was that the word
16 "Scientology" was in there?

17 A Right.

18 Q Was there anything else in that 30 minutes
19 of reading that was objectionable to you?

20 A I don't know. I don't think so. I don't
21 recall.

22 Q In what context was the word "Scientology"
23 used?

24 A It was so long ago. I don't even remember.

25 Q But it offended you?

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1 A Yeah. I mean, I do believe in God and I
2 don't want anything to do with something I don't
3 believe in.

4 Q So just reading the word "Scientology" was
5 enough to turn you off on the entire thing?

6 A Knowing that it was about Scientology, yes.

7 Q What beside the word "Scientology" led you
8 to believe that the book was about Scientology?

9 A Well, if the word "Scientology" is in there,
10 I figured it was about Scientology or something that
11 has to do with Scientology.

12 Q But you do not recall the context that it
13 was used in?

14 A I don't recall.

15 Q Could it have been used in the context of
16 describing who L. Ron Hubbard was?

17 A Maybe.

18 Q Was any of the rest of your reading during
19 that 30 minutes about God or about the nonexistence
20 of God?

21 A No.

22 Q Okay. Was it about anything having to do
23 with religion?

24 A No.

25 Q What did it have to do with?

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1 A I guess -- honestly, I don't remember. I'm
2 not exactly sure what it was talking about. I
3 just -- when I'm not interested in something, I read
4 it and I just answer accordingly. I don't really pay
5 attention.

6 Q Okay. So you don't have any idea what it
7 was about?

8 A No. I mean --

9 Q How soon -- how far into the reading did you
10 come across the word "Scientology"?

11 A Probably the last few pages maybe, yeah.

12 Q Approximately how many pages did you read?

13 A Like ten maybe, give or take.

14 Q So ten pages in you saw the word
15 "Scientology"?

16 A (Witness nods head.)

17 Q But prior to that, you don't recall what it
18 was about because you weren't interested?

19 A I know that going in there I was already
20 told it was Scientology based, so that turned me off.

21 Q Who told you it was Scientology based?

22 A Bonnie.

23 Q She said, "This stuff is Scientology based"?

24 A Yes. She said that, and she said that the
25 company is based off Scientology.

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1 Q And do you always take people's word for
2 stuff before reading it critically yourself?

3 A When it's my supervisor or my higher-up,
4 sometimes, yes, because they're considered my boss.

5 Q So when you were reading it, you had just
6 already presumed that it was Scientology before you
7 started reading it?

8 A Skeptical, yes.

9 Q You were skeptical of it because she had
10 said it was Scientology?

11 A Correct.

12 Q Okay. And because you were not interested
13 in anything Scientology, you didn't really pay
14 attention to what you were reading, correct?

15 MS. BARRAZA: Objection. Misstates
16 testimony.

17 BY MS. GINAPP:

18 Q Am I misstating your testimony, or is that
19 true?

20 A I -- I'm not sure what you mean.

21 Q Well, if I understand your testimony
22 earlier, you didn't really pay attention or remember
23 what you were reading because you weren't interested
24 in it because it was Scientology, correct?

25 A Correct. But I still read it.

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1 Q Okay. But you decided it was crap because
2 it was Scientology?

3 A Well, it's not my belief, so, yes.

4 Q And that belief that it was Scientology is
5 based entirely on the fact that Bonnie told you --
6 your testimony that Bonnie told you that it was
7 Scientology based?

8 A Right.

9 Q Not based upon your own critical reading of
10 it?

11 A Sure, yeah. And reading the word
12 "Scientology" in the book.

13 Q Right. Reading one word turned you off on
14 the entire thing, correct?

15 A Correct.

16 (Defendant's Exhibit F was marked for
17 identification.)

18 BY MS. GINAPP:

19 Q You don't have to read the entire thing.
20 Just familiarize yourself with it. And when you're
21 ready to discuss it -- anything specific that you
22 need to read, I'll ask you to read prior to answering
23 questions. So when you're ready to discuss, let me
24 know.

25 A Okay.

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1 Q Do you recognize this document?

2 A No. Just some parts, but I don't recognize
3 a lot of it.

4 Q Do you recognize the front page, or do you
5 remember receiving an employee handbook from Real
6 Water?

7 A No.

8 Q What parts do you recognize?

9 A Just the page where it gives you the dress
10 code.

11 Q At the bottom there's numbers. If you can
12 find it and direct me to that.

13 A It's -- it's not on here.

14 Page 19.

15 Q All right. You remember the public image
16 part?

17 A Yes.

18 Q And just for the record, this page is Bates
19 stamped at the bottom RW139?

20 A Okay.

21 Q So you remember this page. You don't
22 remember any of the -- do you remember the page
23 before it regarding -- it looks like it discusses
24 harassment and telephone use?

25 A No.

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1 Q What about the page after it that goes on
2 about drug free workplace and substance abuse? Do
3 you remember that?

4 A No.

5 Q Okay. I would like to direct your attention
6 to Page 5 of the agreement -- or the, sorry,
7 handbook, the exhibit which is marked Bates stamp
8 RW125. Oops, sorry. I apologize. That's not where
9 we're going. Sorry. Page 7 marked RW127. I think
10 my caffeine has worn off. I apologize.

11 This has a policy 3.1, Nondiscrimination.
12 Do you see that?

13 A Yes.

14 Q Just read through it quietly to yourself,
15 and let me know when you're done.

16 A Okay. Okay.

17 Q Do you recall ever seeing this policy
18 before?

19 A No.

20 Q Paragraph 4 of this policy states,
21 "Employees with questions or concerns about
22 discrimination in the workplace are to bring these
23 issues to the attention of the personnel department,"
24 correct?

25 A Correct.

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1 Q And, again, you didn't do that, correct?

2 A Correct.

3 Q And, specifically, you didn't do that with
4 regard to your current claim that you feel
5 discriminated against based upon religion, correct?

6 A Well, there was a couple of concerns, and I
7 did go to Bonnie with them.

8 Q Okay. The concerns about religious issues,
9 correct?

10 A Yes. And disabled as well.

11 Q Okay. But you went to Bonnie, not to the
12 personnel department?

13 A Right.

14 Q Not to HR, which would be the same thing,
15 correct?

16 A Yeah. But I don't think we had an HR person
17 for a while. When I got into a car accident, I
18 didn't have anybody there.

19 Q You went to Bonnie?

20 A Uh-huh.

21 Q And she helped you get set up with the
22 paperwork, correct?

23 A Paperwork for what?

24 Q Workers' compensation?

25 A No. I -- I didn't go to her, no.

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1 Q Oh, okay.

2 A I had an attorney for the workers' comp.

3 Q But you reported the accident to somebody,
4 correct?

5 A Yes, to her.

6 Q And they filled out the initial forms, the
7 paperwork?

8 A I suppose, yeah, her and Jeremy. I let her
9 know, and she let him know.

10 MS. GINAPP: All right. It is 12:36. Now
11 seems like a good time to take a break, a lunch
12 break, if everybody's okay with that. We'll
13 resume -- just for ease, let's do 1:45.

14 THE WITNESS: Okay.

15 MS. GINAPP: Okay.

16 THE VIDEOGRAPHER: The time is approximately
17 12:37 p.m. We are going off the record.

18 (Lunch break was taken.)

19 THE VIDEOGRAPHER: The time is approximately
20 1:47 p.m. We are back on the record.

21 BY MS. GINAPP:

22 Q Okay. You're still under oath.

23 Let's talk about the videos. Prior to our
24 break, you testified that you had watched videos on
25 the first day of your employment with Real Water,

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1 correct?

2 A Correct.

3 Q All right. And can you remind me what those
4 videos were that you watched?

5 A The Secret, Just Do It, The Way to
6 Happiness, and I don't recall the other.

7 Q How many did you watch?

8 A All of them.

9 Q Yeah. I mean the number, do you remember?

10 A I want to say it was like four or five.

11 Q I'll just remind you to speak up.

12 A Okay.

13 Q And even though you are miked, as the rest
14 of us, I need to hear you way over here.

15 A Okay.

16 Q Prior to watching the videos, were you
17 provided any explanation from any Real Water employee
18 as to what you would be watching?

19 A No.

20 Q You were just told you had to watch some
21 videos?

22 A Yes.

23 Q Were you given an explanation about the
24 questionnaires?

25 A No. Just watched the videos and watch --

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1 and answer the questions in the paper --

2 Q Were you given --

3 A -- each paper.

4 Q Sorry. Go ahead.

5 A Sorry. Each paper.

6 Q Were you given the paper to fill out
7 beforehand?

8 A No. It was after I watched the video.

9 Q You didn't have the paper with you as you
10 were watching?

11 A Yes, I did. Sorry. Yeah.

12 Q Okay. And you were not told why you were to
13 watch the videos?

14 A No.

15 Q Did you ask if they were required to be
16 watched?

17 A Yes. Jeremy -- well, prior, Jeremy had told
18 me that I had to watch these videos, that was
19 orientation.

20 Q Okay. So you didn't ask; he just told you
21 you had to watch them?

22 A Right.

23 Q At any point during watching any of the
24 videos, did you become uncomfortable with the content
25 of the video?

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1 A Not really, because I did not know what I
2 was getting myself into, like who they were talking
3 about or anything like that.

4 Q So you did not become uncomfortable while
5 watching the videos, correct?

6 A Correct. I had no idea, yeah, not at the
7 moment.

8 Q It was only later that you became
9 uncomfortable with the videos?

10 A Yes.

11 Q And I believe, based upon your prior
12 testimony, it was only after you Googled information
13 about L. Ron Hubbard and Scientology, correct?

14 A Right. After I got to know who that was,
15 yeah.

16 Q And when you testify, After you got to know
17 who that was, that's after you Googled the
18 information?

19 A Yeah.

20 Q You didn't do anything else to get to know
21 who L. Ron Hubbard was or what Scientology was about,
22 correct?

23 A Correct.

24 Q Did you, at any point, tell anyone at Real
25 Water that you thought that the videos were religious

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1 in nature?

2 A Not at the beginning, no. I wouldn't say I
3 said religious in nature. I was just wondering why
4 they had to do with Scientology.

5 Q And who did you wonder that to?

6 A Again, Bonnie.

7 Q And when did you first say that to Bonnie?

8 A I think it was, like, probably halfway me
9 working there. So three, three and a half, four
10 months in.

11 Q Three to four months into your employment
12 you told Bonnie that?

13 A Yeah. I told her, "So these videos are
14 Scientology based."

15 She said that, "Yeah."

16 Q All of the videos are Scientology based?

17 A Not -- I don't believe The Secret is
18 Scientology based.

19 Q So it's your testimony The Secret is not a
20 Scientology video?

21 A Correct.

22 Q Is it also your testimony that The Secret is
23 not religiously based?

24 A Correct.

25 Q What about Just Do It? Is it your testimony

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1 that Just Do It is Scientology based?

2 A Yes.

3 Q And what is that based upon?

4 A Ron L. Hubbard, that -- The Way To Happiness
5 was also Ron L. Hubbard. And after watching that
6 one, the Just Do It made a lot -- like, made sense.
7 They seemed to connect.

8 Q Does Just Do It specifically reference
9 Scientology, to your recollection?

10 A I don't remember.

11 Q Does it specifically reference L. Ron
12 Hubbard?

13 A I'm not exactly sure.

14 Q Were there any other references to religion
15 in Just Do It that you can recall?

16 A No.

17 Q The Way to Happiness, does it specifically
18 reference Scientology?

19 A I don't remember, but I know that it does
20 talk about Ron, Ron L. Hubbard.

21 Q Okay. And what do you recall it says about
22 L. Ron Hubbard?

23 A They talked about him.

24 Q What did it say?

25 A I don't remember.

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1 Q They just talked about the man?

2 A Yeah.

3 Q And when you were watching it, it didn't
4 bother you, correct?

5 A Correct.

6 Q Was there anything else -- was there
7 anything in The Secret, when you were watching that,
8 that bothered you?

9 A No.

10 Q Was there anything besides the connection
11 you made between The Way to Happiness and Just Do It
12 that bothered you in the video Just Do It?

13 A No.

14 Q Okay.

15 A I don't think.

16 Q Was there anything else other than the
17 reference to L. Ron Hubbard in The Way to Happiness
18 that bothered you?

19 A Some of the things that it was saying was
20 just weird to me, the way they lived the life, their
21 life, whoever is talking about the video. I think
22 it's talking about how you should live your life a
23 certain way.

24 Q Did you disagree with --

25 A Some of the stuff, yes.

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1 Q Do you remember what you disagreed with?

2 A No, not exactly.

3 Q Do you remember why you disagreed with it?

4 A It was too, like -- I don't know how to
5 explain it. Like, it's -- you know, me being
6 religious and Catholic, I believe in God. And this
7 was too man-made, like strictly man-made.

8 Q So it wasn't religious in nature?

9 A No.

10 Q The Way to Happiness wasn't religious in
11 nature, correct?

12 A I'm not sure if I would say it's not -- I
13 mean, if it's based off Scientology, then they have
14 connection. But it doesn't say -- you know, I don't
15 know if it says anything religiously.

16 Q Okay. And you don't know if it's based off
17 Scientology, correct?

18 A I do know it's based off Scientology.

19 Q And how do you know that?

20 A Because -- well, based on my searches on
21 Google, it said that that was one of the videos by
22 Ron L. Hubbard, and if it's by Ron L. Hubbard, it has
23 to do something with Scientology.

24 Q Because of your supposition that you
25 testified earlier to, that everything L. Ron Hubbard

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1 does has to be related to Scientology, correct?

2 A Yeah.

3 Q Did you do any other independent
4 investigation to verify that it was -- The Way to
5 Happiness was related to Scientology?

6 A No. That's just internet.

7 Q Okay. So it's your belief, though, that
8 when you were watching it, you felt like it was too
9 strictly focused on the man and not based on God for
10 your preference, correct?

11 A Yes. But at that point, I wasn't aware, you
12 know, anything of Scientology.

13 Q I understand. But at the time that you
14 watched it, you didn't think it was enough God
15 focused, correct?

16 A I don't -- what do you mean "God focused"?

17 Q Well, you said that you were
18 uncomfortable with it -- you testified that you were
19 uncomfortable with it because it didn't comport with
20 your personal religious beliefs. You believed in God
21 and this was too strictly man-made, correct?

22 A Meaning that was towards the Scientology
23 part. Not --

24 Q Not towards your religion?

25 A If that doesn't make -- if that makes any

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1 sense.

2 Q But you didn't know it was Scientology at
3 the time, correct?

4 A Right.

5 Q Thank you.

6 Did you tell anybody that you were
7 uncomfortable with any of the videos -- I'm sorry --
8 that day?

9 A No. Not that day, no.

10 Q Even though you just read the employment
11 agreement that said that you were to report it if you
12 felt that way?

13 A Right.

14 Q What about the next day after you Googled it
15 and became uncomfortable with the videos? Did you
16 tell anybody then?

17 A I just mentioned that I didn't really want
18 to watch -- well, already watched them, so there was
19 really no point to say anything.

20 Q So even though the second day you signed
21 another employment agreement that directed you to
22 report anything, any uncomfortableness you had with
23 religion in the workplace, you failed to do it on the
24 second day, too, correct?

25 A Well, no. The first one -- the first one

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1 and the second day were basically almost alike. So
2 the second one, I just kind of signed it feeling that
3 I -- it's my first job in two years. I figured I
4 needed to comply with what I needed to do to get the
5 job.

6 Q But the question is, you didn't report
7 feeling uncomfortable --

8 A No.

9 Q -- the next day?

10 A No.

11 (Defendant's Exhibit G was marked for
12 identification.)

13 BY MS. GINAPP:

14 Q Okay. Go ahead and review what's been put
15 in front of you and marked as Exhibit G. And when
16 you're ready to discuss it, please let me know.

17 A Okay.

18 Q Do you recognize this document?

19 A Yes.

20 Q Okay. Can you tell me what it is?

21 A I believe it was one of the videos about the
22 way they make their alkaline water.

23 Q And, specifically, is this the questionnaire
24 that you filled out after watching a video titled
25 "Real Water Culture"?

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1 A Yes.

2 Q And is this your handwriting on the
3 document?

4 A Yes.

5 Q Is any -- can you identify any handwriting
6 on here that does not belong to you?

7 A No.

8 Q Does this appear to be a true and accurate
9 copy of the review you completed for the Real Water
10 Culture video?

11 A Yes.

12 Q Can you, again, tell me in your own words
13 what that video was about?

14 A I think this is the one about just the way
15 they do their product, how they do the alkalized
16 process.

17 Q How they make it alkalized?

18 A Uh-huh.

19 Q Did you -- do you recall watching one or
20 more videos about the way they do business at Real
21 Water?

22 A Other than the videos that I just -- that I
23 mentioned.

24 Q Well, specifically about Real Water. Now,
25 this video, can you explain to me, like, who's in it?

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1 Who's in the video?

2 A I'm not exactly sure who's in it. But if
3 I'm remembering right, this is the one where it
4 starts off with -- I think Brent Jones is in it,
5 actually. I'm not 100 percent. But then another
6 person who's showing you how to use the pH drops with
7 the water.

8 Q Okay. Are there -- is this the only video
9 that you watched that had Brent Jones in it?

10 A Uh-huh. Yes.

11 Q Was there anything about this video that you
12 considered to be religious in nature?

13 A No. Because this was just, if I remember it
14 correctly, it was all about Real Water, just the way
15 they make it.

16 Q So looking at No. 1, it references an arc
17 triangle. Do you recall the video discussing an arc
18 triangle?

19 A Not really, no.

20 Q Read through this and let me know if
21 everything -- sorry -- if your answers to the
22 question posed in the review accurately reflect your
23 actual position with regard to the issues that are
24 discussed.

25 A No. There is -- there doesn't seem to be

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* * *Videotaped Deposition* * *

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1 any religious anything on here.

2 Q Okay.

3 A It's just speaking about the Real Water.

4 Q Right. The question that I've asked,
5 though, is does it all accurately reflect your view
6 of the video?

7 A Yes.

8 Q Did you feel the need to lie in this
9 document at all when you were filling it out?

10 A Not necessarily lie, but I did want to
11 answer the best because it was my first job in two
12 years.

13 Q Is there anything in here that you stated
14 that you didn't necessarily agree with because you
15 were trying to answer the best?

16 A Maybe just applying them to my -- the
17 principles in your daily work or --

18 Q Are you referencing the last question, "How
19 can you apply these principles to your daily work"?

20 A Yes.

21 Q Your response to that might not have been
22 completely accurate?

23 A Yeah. I mean, maybe just for that job.

24 Q Turn back to the first page. I'll direct
25 your attention to Item 3 on that page. It states,

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1 "Work and operate in a positive and up-tone manner
2 which results in efficient production resulting
3 in" -- I'm going to state it again. "Work and
4 operate in a positive and up-tone manner which
5 results in efficient production resulting in high
6 moral" -- sorry -- "morale within the company; i.e.,
7 we are a happy and productive team."

8 Can you read to me what you wrote under
9 there.

10 A "Production, getting things done. I
11 definitely agree with this. If there wasn't
12 structure or productivity, the company wouldn't
13 really be operative in a positive and tone-up manner.
14 That's the way it should be done so more results show
15 up on it" -- "upon it."

16 Q Okay. Is that -- when you wrote that, was
17 that an accurate reflection of how you actually felt?

18 A Yes. After reading -- after seeing the
19 video about Real Water, yeah.

20 Q Did anyone ever discuss the responses that
21 you put on this Real Water Culture video review with
22 you?

23 A No.

24 Q Did anyone ever say that they were not
25 sufficient, or did you ever -- sorry. Did anyone say

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1 that they weren't sufficient?

2 A No.

3 Q Did you ever feel like you were punished in
4 any way for what you wrote on that document?

5 A No. I agreed to mostly their video, so, no.

6 (Defendant's Exhibit H was marked for
7 identification.)

8 BY MS. GINAPP:

9 Q Please review what's been handed to you and
10 marked as Exhibit H. And when you're ready to
11 discuss it, let me know.

12 A Okay.

13 Q Do you recognize this document?

14 A Yes.

15 Q What is it?

16 A It's another video.

17 Q It's a video review for what video?

18 A Message to Garcia.

19 Q And do you recall watching this video?

20 A I do.

21 Q Is this your handwriting on both pages of
22 this document?

23 A Yes.

24 Q Is there any handwriting on this document
25 that is not yours?

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1 A No.

2 Q And does this appear to be a true and
3 accurate copy of the review you completed for the
4 video Message to Garcia?

5 A Yes.

6 Q Can you describe to me what that video was
7 about?

8 A I honestly don't remember.

9 Q Do you recall anything in that video that
10 you believed was religious in nature?

11 A I don't recall. I remember watching this
12 video, but I don't recall what it was about.

13 Q Do you recall having any type of adverse
14 reaction to it?

15 A I don't know, other than what I wrote.

16 Q Do you recall anything that was specifically
17 related to Scientology in the video Message to
18 Garcia?

19 A I don't recall.

20 Q Do you recall anything about L. Ron Hubbard
21 in the video Message to Garcia?

22 A I don't recall.

23 Q Do you recall anything in the video that was
24 particularly adverse to your own personal religious
25 beliefs?

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1 A I don't think so. I don't remember the
2 video.

3 Q I would like you to read through the
4 questions and answers and the review and what you
5 wrote. And when you're done, let me know.

6 A Okay.

7 Q Did that refresh your recollection about
8 what the video was about?

9 A A little bit.

10 Q Do you want to change any of your answers to
11 the questions regarding Scientology and L. Ron
12 Hubbard or anything adverse to your personal
13 information after reading it?

14 A No.

15 Q To the best of your knowledge, do the
16 answers that you gave to the questions in this review
17 accurately reflect your actual position with regard
18 to the issues discussed?

19 A Other than No. 2, asking me if it's going to
20 change my way of thinking. So I said, "No, it will
21 not."

22 Q You said, no, it will not change your way of
23 thinking?

24 A Yeah. And I just said, "I will add the
25 Message to Garcia onto it."

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1 Q Okay. And so does -- that does or does not
2 accurately reflect your thinking?

3 A I'm not sure.

4 Q Is it true?

5 A Yes. This, what I wrote?

6 Q Yes.

7 A Yes.

8 Q Okay. It reflects your true position on
9 Message to Garcia and that information you learned
10 from it, to the best of your recollection?

11 A Yes.

12 Q Did anybody ever discuss your responses in
13 this video review with you?

14 A No.

15 Q Did you feel there were any repercussions
16 for anything that you wrote in this against you --
17 for anything that you wrote in this video review for
18 Message to Garcia?

19 A I felt like I had to write the most positive
20 thing I could.

21 Q Did anybody tell you you had to do that?

22 A No. But it was my first -- my first day on
23 the job, so I felt like I had to.

24 Q So your answer to the first question, the
25 first question is, "How do you feel about the video?"

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1 Did you agree with it, disagree? Were there any
2 specific parts that you liked or disliked?"

3 And you answered, "Honestly, the video was
4 confusing and boring," right?

5 A Right.

6 Q Did anybody ever say to you that you
7 shouldn't have written that?

8 A No. No one discussed with me about what I
9 wrote on here.

10 Q Did you ever feel that you were treated
11 differently because you said that the video was
12 confusing and boring?

13 A I don't -- no, not at the moment, no.

14 (Defendant's Exhibit I was marked for
15 identification.)

16 BY MS. GINAPP:

17 Q Go ahead and review the document that's been
18 put in front of you marked I. And when you're ready
19 to discuss it, let me know. Please go ahead and read
20 through it, because I'll be asking you questions.

21 A Okay.

22 Q Can you -- do you know what this document
23 is?

24 A Yes.

25 Q Can you tell me what it is?

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1 A The Secret.

2 Q Is it your video review of The Secret that
3 you completed for Real Water?

4 A Correct.

5 Q And is all of the handwriting on this page
6 your handwriting?

7 A Yes.

8 Q Do you identify any handwriting that is not
9 your handwriting?

10 A No.

11 Q Okay. And you read through the questions
12 and the answers, correct?

13 A Correct.

14 Q All right. And does this appear -- sorry.
15 Does this appear to be a true and accurate copy of
16 the review you completed for The Secret video?

17 A Yes.

18 Q Can you tell me what the video of The Secret
19 is about?

20 A Thinking positive and attracting the
21 positivity.

22 Q Okay. Had you seen it before you watched it
23 at Real Water?

24 A Yes.

25 Q And, in fact, you'd actually read the book,

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1 too, hadn't you?

2 A Yes.

3 Q And you testified earlier that nothing in
4 The Secret is religious from your point of view,
5 correct?

6 A Correct.

7 Q And, specifically, nothing in The Secret is
8 related to Scientology, correct?

9 A Correct.

10 Q And is there anything in The Secret that
11 differs from your own personal religious beliefs or
12 that you find offensive?

13 A No.

14 Q Do your answers to the questions in the
15 video review accurately reflect your actual position
16 with regard to the issues discussed?

17 A Meaning is this real, what I wrote on here?

18 Q Yeah.

19 A Is that how I feel about it now?

20 Q Is that how you felt about it at the time?

21 A Yes.

22 Q Okay. Is that how you still feel about it?

23 A Yes. Somewhat. I don't see this being
24 Scientology, so, yes.

25 Q Did you feel the need to lie or fabricate

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1 anything on this document?

2 A No.

3 Q Did anybody discuss your responses to the
4 questions on The Secret video review with you?

5 A No.

6 Q And did you ever feel that there were any
7 repercussions to your job for anything that you wrote
8 on that paper?

9 A No. It was all positive.

10 (Defendant's Exhibit J was marked for
11 identification.)

12 BY MS. GINAPP:

13 Q You have been handed what's been marked as
14 Exhibit J. Please take a look at it. And when
15 you're ready to discuss it, let me know.

16 A Okay.

17 Q Do you recognize this document?

18 A I do.

19 Q What is it?

20 A It's the video review to The Way to
21 Happiness.

22 Q Okay. And, specifically, it's the video
23 review that you did for The Way to Happiness,
24 correct?

25 A Correct.

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1 Q All right. Is all of the handwriting on
2 these two pages of this exhibit your handwriting?

3 A Yes.

4 Q Do you identify any handwriting on these two
5 pages that belongs to somebody else?

6 A No.

7 Q Would you -- is it your testimony that this
8 is a true and accurate copy of your video review of
9 The Way to Happiness that you completed for Real
10 Water?

11 A Yes.

12 Q Had you ever seen The Way to Happiness
13 before you watched it for Real Water?

14 A No. Just there.

15 Q And you have read through the questions and
16 the answers, correct?

17 A Yes.

18 Q And were all of your answers accurate as of
19 the time that you gave them?

20 A Yes.

21 Q In response to Question No. 1, which was,
22 "How do you feel about the video? Do you agree with
23 it, disagree? Were there any specific parts that you
24 liked or disliked?" you wrote, "The video was
25 actually great. I definitely agree with it.

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1 Everything was good. I liked how they gave a
2 detailed explanation to everything." Correct?

3 A Correct.

4 Q And that was the way that you felt
5 immediately after watching the video; is that
6 correct?

7 A Yes.

8 Q Is any portion of that a lie or expounded
9 upon to make yourself look better?

10 A No.

11 Q Do you feel differently about the video
12 today?

13 A Yes.

14 Q And is that -- is the reason that you feel
15 differently about the video based upon what you
16 testified earlier, which is that since then, since
17 watching the video, you found out who L. Ron Hubbard
18 is?

19 A Correct.

20 Q And that you believe this video must be a
21 Scientology video because it references L. Ron
22 Hubbard?

23 A Yes.

24 Q Is there anything in the video, after having
25 reviewed this or as you sit here and you can recall

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1 about the video, that you specifically remember,
2 besides the reference to L. Ron Hubbard, that you
3 believe to be Scientology related?

4 A Other than what I'm reading, I don't really
5 recall the whole video.

6 Q Is there anything that you are reading that
7 you believe to be related to Scientology?

8 A I mean, if this was related to Ron Hubbard
9 and his -- so this whole list, if I'm not mistaken, I
10 read that when I was Googling it, some of it, on the
11 internet.

12 Q So let me make sure I understand what you're
13 testifying here. You're looking at Page 2, correct,
14 of this document?

15 A Yes.

16 Q The bottom is kind of hard to see, but it
17 says RW35, right?

18 A Yes.

19 Q And this is a list of 21 items, correct?

20 A Yes.

21 Q And are these 21 items the virtues that were
22 talked about in the video The Way to Happiness?

23 A Yes.

24 Q Okay. And it's your testimony that
25 because -- it's your understanding that The Way to

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1 Happiness is based upon thoughts of L. Ron Hubbard,
2 that these 21 virtues are inherently
3 Scientologists -- Scientology? Sorry.

4 A Yes.

5 Q So let's go through them. No. 1, you wrote:
6 "Take care of yourself. Keep body clean. Preserve
7 your teeth. Eat properly. Get rest."

8 Correct?

9 A Correct.

10 Q Is there anything about any of those that
11 your particular religious beliefs are adverse to?

12 A No.

13 Q Do they conform with your particular
14 beliefs?

15 A Yes.

16 Q Number 2: "Be temperate. Don't go to
17 extremes. Don't take harmful drugs. Don't take
18 alcohol to excess."

19 Did I correctly read that?

20 A Yes.

21 Q Is there anything about that that doesn't
22 conform to your particular religious beliefs?

23 A No.

24 Q And is it your understanding that the
25 Christian bible talks about temperance?

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1 A Yes.

2 Q So, in fact, this does conform with your
3 Christian beliefs?

4 A Catholic.

5 Q Okay. Catholic beliefs?

6 A Yes.

7 Q Would you prefer that I say Catholic and not
8 Christian?

9 A Yeah.

10 Q So No. 2 does conform with your Catholic
11 beliefs?

12 A Yes.

13 Q Number 3: "Don't be promiscuous. Be
14 faithful to your sexual partner."

15 Did I read that correctly?

16 A Yes.

17 Q Does the items in No. 3, do they conform
18 with your particular Catholic religious views?

19 A Yes.

20 Q In fact, doesn't "Don't be promiscuous, be
21 faithful to your sexual partner" conform with No. 7
22 of the Ten Commandments against adultery?

23 A Yes.

24 Q Number 4: "Love and help children."

25 Is there anything in that that you find to

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1 be inherently against your particular beliefs?

2 A No.

3 Q Is there anything in that that you find to
4 be particularly religious in nature?

5 A No.

6 Q Okay. Does it conform with your personal
7 religious beliefs?

8 A No.

9 Q It doesn't conform to your --

10 A It does, yeah.

11 Q It does. Okay.

12 Number 5: "Honor and help your parents."

13 Did I read that correctly?

14 A Yes.

15 Q Okay. And does that conform with your
16 personal religious beliefs?

17 A Yes.

18 Q And, in fact, "Honor your parents" is the
19 fifth commandment of the Ten Commandments, correct?

20 A Yes.

21 Q Which are Christian, Catholic in nature,
22 correct?

23 A Yes.

24 Q Number 6: "Set a good example."

25 Did I read that correctly?

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1 A Yes.

2 Q Okay. Is there anything in "Set a good
3 example" that you find to be inherently religious?

4 A No.

5 Q Is it adverse to you religious beliefs in
6 any way?

7 A No.

8 Q Would you say that it conforms with your
9 religious Catholic beliefs?

10 A Yes.

11 Q Number 7: "Seek to live with the truth.
12 Don't tell harmful lies. Don't bear false witness."

13 Did I read that correctly?

14 A Yes.

15 Q Is there anything inherently religious about
16 any of the items in No. 7?

17 A No.

18 Q Do the items in No. 7 conform with your
19 personal religious views?

20 A No.

21 Q They do not conform with your --

22 A They do. Sorry.

23 Q That's okay.

24 A I'm getting it confused.

25 Q So let me say it again. Do the items in

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1 No. 7 conform to your personal religious views?

2 A Yes, they do conform.

3 Q Okay. And, in fact, "Do not bear false
4 witness" is the ninth commandment of the Ten
5 Commandments, correct?

6 A Yes.

7 Q And lying in some instances is actually an
8 illegal act in general society, not related to
9 religion, correct?

10 A Yes.

11 Q So are you offended by any of the items in
12 No. 7 at all?

13 A No.

14 Q Number 8: "Do not murder."
15 Did I read that correctly?

16 A Yes.

17 Q Does that conform with your personal
18 religious views?

19 A Yes.

20 Q And, in fact, it's the sixth commandment of
21 the Ten Commandments, correct?

22 A Yes.

23 Q And it's also illegal in our general
24 secular, non-religious society, correct?

25 A Yes.

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1 Q All right. Do you find anything offensive
2 with Item No. 8, "Do not murder"?

3 A No.

4 Q Number 9: "Do not do anything illegal."

5 Does that comport with your general personal
6 religious views?

7 A Yes.

8 Q Do you find "Do not do anything illegal" to
9 be inherently religious in any way?

10 A No.

11 Q Number 10: "Support a government designed
12 and ran by people."

13 Did I read that correctly?

14 A Yes.

15 Q Does that item comport with your general
16 personal religious views?

17 A Does it conform?

18 Q Conform, yeah.

19 A Yes.

20 Q Do you find anything about No. 10 to be
21 inherently adverse to your personal beliefs?

22 A No.

23 Q Do you find anything in No. 10 to be
24 inherently religious in nature?

25 A No.

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1 Q Number 11: "Do not harm a person of good
2 will."

3 Did I read that correctly?

4 A Yes.

5 Q Does that comport with your personal
6 religious views?

7 A Yes.

8 Q Is there anything in No. 11 that you find to
9 be personally offensive?

10 A No.

11 Q Is there anything in No. 11 that you find to
12 be religious in nature?

13 A No.

14 Q Number 12: "Safeguard and improve your
15 environment. Take care of your own area. Help take
16 care of the planet."

17 Is there anything in No. 12 that you find to
18 be adverse to your personal religious views?

19 A No.

20 Q Does it conform to your personal views?

21 A Yes.

22 Q Is there anything in No. 12 that is
23 inherently religious?

24 A No.

25 Q Number 13 says: "Do not steal."

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1 Did I read that correctly?

2 A Correct.

3 Q Does "Do not steal" comport with your
4 personal religious views?

5 A Does it conform?

6 Q Conform, yes.

7 A Yes.

8 Q And, in fact, "Do not steal" is Commandment
9 No. 8 of the Ten Commandments; correct?

10 A Yes.

11 Q And it's also illegal in our secular,
12 non-religious society, correct?

13 A Correct.

14 Q Do you find anything in "Do not steal" to be
15 inherently religious?

16 A No.

17 Q Number 14: "Be worthy of trust."

18 Do you find anything to be -- sorry. Did I
19 read that correctly, "Be worthy of trust"?

20 A Yes.

21 Q Do you find anything in No. 14 to be
22 inherently religious in any way?

23 A No.

24 Q Does it conform to your personal religious
25 views?

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1 A Yes.

2 Q Number 15: "Fulfill your obligations."

3 Did I read that correctly?

4 A Yes.

5 Q Do you find anything in "Fulfill your
6 obligations" to be inherently religious in any way?

7 A No.

8 Q Does it conform with your personal religious
9 views?

10 A Yes.

11 Q Then it says 16, but it doesn't have
12 anything, correct?

13 A Correct.

14 Q Do you recall why you don't have anything
15 next to 16?

16 A No.

17 Q Number 17: "Be competent. Look to see what
18 you see, not what someone tells you what you see.
19 Learn, selecting data. Example, important from
20 unimportant, truth from false."

21 Did I read that correctly?

22 A Yes.

23 Q Is there anything in No. 17 that you find to
24 be inherently religious?

25 A No.

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1 Q Is there anything in 17 that doesn't conform
2 to your personal religious views?

3 A Yes.

4 Q Okay. What?

5 A Wait, what? I'm sorry. Repeat that.

6 Q Is there anything in No. 17 that does not
7 conform to your personal religious views?

8 A No.

9 Q Number 18: "Respect religious beliefs of
10 others."

11 Did I read that correctly?

12 A You did.

13 Q Does that conform with your personal
14 beliefs?

15 A Yes.

16 Q And is there anything inherently religious
17 in respecting the religious beliefs of others?

18 A Is there anything that what?

19 Q That's inherently religious?

20 A No.

21 Q 19: "Try not to do to others what you don't
22 like them to do to you."

23 I think I read that correctly. Is that
24 right?

25 A Yes.

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1 Q And I'm going to take No. 20 with it, "Try
2 to treat others how you want them to treat you."

3 Did I read that correctly?

4 A Yes.

5 Q Is there anything in No. 19 or No. 20 that
6 you find to be inherently religious?

7 A No.

8 Q And is there anything in No. 19 or No. 20
9 that is adverse to your personal religious views?

10 A No.

11 Q Okay. And, in fact, doesn't 19 and 20 kind
12 of sound like the Golden Rule of "Do unto others as
13 you would have them do unto you"?

14 A Yeah.

15 Q And do you have an understanding that the
16 Golden Rule comes from the Book of Matthew in the New
17 Testament of the Christian bible?

18 A Yes.

19 Q And No. 21 at the top says: "Flourish and
20 prosper."

21 Does that have any particular religious
22 connotation to you?

23 A No.

24 Q Does it comport with your personal religious
25 beliefs?

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1 A No.

2 Q It doesn't?

3 A Yes, it does. Sorry. I'm sorry. I keep
4 confusing that.

5 Q That's okay.

6 Does it conform to your personal religious
7 beliefs?

8 A Yes.

9 Q Okay. Now, we have gone through all of
10 these. Is there anything -- any of these items that
11 you find to be inherently, on their own have some
12 sort of Scientology basis or background that you find
13 to be offensive to your personal religious beliefs?

14 A They are not offensive to my personal
15 religious beliefs, but these can be -- I mean,
16 it's -- how do I explain it?

17 Q Well, there's not really a question pending.
18 So why don't I just ask one, which is, do you believe
19 that by making you watch The Way to Happiness that
20 Real Water was forcing Scientology on you?

21 A Because of his name was on it, yes. If it
22 would have been the Pope or any other religious
23 person, same thing would have been happening. People
24 would have, you know, because it's not what they
25 believe in, they still -- one word can make a

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1 difference. And his name made a difference.

2 Q His name changed it from not being
3 inherently religious to being inherently religious?

4 A What do you mean?

5 Q Well, so what you're saying is if the Pope's
6 name was on it, it would be religious, correct?

7 A Well, yeah. Scientology is a form of
8 religion, so it is religious.

9 Q I agree. The question is, if it were the
10 Pope's name rather than L. Ron Hubbard, then you
11 would have viewed it as them forcing religion on you
12 as well?

13 A If I -- yeah. Probably if I didn't believe
14 in -- yeah.

15 Q So if it were all exactly the same but
16 instead of it talking about L. Ron Hubbard it talked
17 about the Pope, you would still have -- feel like you
18 were discriminated against based upon your religion?

19 MS. BARRAZA: Objection. Misstates
20 testimony.

21 BY MS. GINAPP:

22 Q Is that true, you would?

23 A Yeah.

24 Q Okay. Even though you're Catholic?

25 A Well, no. I mean, if I was -- meaning if I

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1 was another religion.

2 Q Oh, okay. But I'm asking about you.

3 A If it was Catholic, no.

4 Q So it's okay as long as it is a name that
5 has to do with your religion?

6 A Yes. With the religion that I grew up with,
7 yes.

8 Q Okay. But it's not okay if it's somebody
9 who is a member of a different religion?

10 A No, it's okay, but not to force it upon or
11 try to make others believe in the same thing they
12 believe in.

13 Q Okay. But you testified that you actually
14 do believe in all 21 of these things, correct?

15 A Right.

16 Q Okay. Did anyone discuss your answers to
17 the questions on this video review with you?

18 A No.

19 Q Did you ever feel that there were any
20 repercussions for anything that you wrote?

21 A Again, I figured I needed to write positive
22 because it was my first day on the job.

23 Q Did you lie on this document?

24 A Not at the moment, no.

25 Q So the following day after you figured out

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1 who L. Ron Hubbard was, did you say anything to
2 anybody about your concerns about the video The Way
3 to Happiness?

4 A I mentioned it.

5 Q The following day?

6 A It wasn't the following day. It was a few
7 days later.

8 Q Who did you mention it to?

9 A Bonnie.

10 Q And what did you say?

11 A I said, "Are all these videos based on
12 Scientology?"

13 And she said, "Yeah, minus The Secret."

14 Q Did you confirm that with anybody else?

15 A No.

16 Q Did you tell her at that time you had a
17 problem with that?

18 A Not really, because I already seen the
19 videos. They were already watched.

20 Q At any point, did you tell anybody at Real
21 Water that you had a problem with any of the videos
22 that you watched?

23 A No, because I was afraid I was going to get
24 fired.

25 Q And what did you base that fear upon?

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1 A Well, at the very time when all of, like,
2 this, I just started working. So I wasn't going to
3 jeopardize my job telling them something that I -- it
4 wasn't -- to me, it wasn't really that, at that
5 moment, serious.

6 Q But why did you believe that you would be
7 fired from your job?

8 A Because everyone else was following the same
9 thing. And if I didn't like it and went against what
10 they liked, I -- the treatment was different.

11 Q You saw somebody being treated differently?

12 A Me. Like I just felt weird every time I'd
13 be around them just because I wasn't following what
14 they were following.

15 Q You felt weird because of things they were
16 saying to you or because that's just how you felt
17 internally?

18 A That's how I felt internally. And they
19 just -- the fact that I didn't do the courses wasn't
20 okay. It didn't seem to be okay.

21 Q It didn't seem to be okay because someone
22 said it wasn't okay?

23 A Well, they kept telling me to do it, and I
24 didn't.

25 Q But you were not disciplined in any way for

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1 not doing it?

2 A At the beginning, I don't think so, I mean,
3 other than Bonnie telling me to do it, to keep doing
4 it.

5 Q But you weren't written up?

6 A No.

7 Q Did you ever receive a non-optimum report
8 for not doing the videos?

9 A No, because I did them.

10 Q I'm sorry. Did you ever receive a
11 non-optimum report for not doing the courses?

12 A No.

13 Q Did you actually have any conversations with
14 anybody other than Bonnie about the videos?

15 A Christy Oldenkamp.

16 Q During your employment?

17 A Yes. And then that's it. And Yanyeli, the
18 girl that was working there, the receptionist. At
19 the time, she was a receptionist there.

20 Q Explain your job duties.

21 A I -- basically, I drove from store to store,
22 and I had to sell them -- have them try to make them
23 buy more water a week. And I would basically fix any
24 displays or bring any -- restock the shelves and
25 stuff.

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1 Q What was your job title?

2 A There was a couple different --
3 merchandiser, brand ambassador. And then apparently
4 in the first one I read that I was a product -- there
5 was a couple, but I called myself a merchandiser and
6 so did Bonnie.

7 Q Did you have a company car?

8 A I did.

9 Q Explain to me what an average day was like
10 for you?

11 A It was -- it would start at 6, get off at 2,
12 2:30. And I would go from store to store. I would
13 go in there, and if the managers weren't busy, I
14 would talk to them, restock the shelves, talk to them
15 and see if they wanted to order more. And then I
16 would get a signature, and then I would go to the
17 next store and so on.

18 Q Did you start from your home?

19 A Yes.

20 Q And did you end at your home?

21 A Yes.

22 Q And did you go to the corporate offices?

23 A Fridays and when I needed something from the
24 office, yes.

25 Q So how long were -- you went every Friday to

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1 the corporate office?

2 A Not every Friday.

3 Q Okay. How often did you go on Friday to the
4 corporate office?

5 A Well, almost -- yeah, almost every Friday
6 unless I was told otherwise, because that's when we
7 had to turn in our weekly total.

8 Q And you always turned those in in person?

9 A Yes.

10 Q You never e-mailed them?

11 A No.

12 Q Never took a snapshot of them and sent them
13 to Bonnie?

14 A The text message, yes, because she asked me
15 to text them to her. I'm like, "I don't have it. I
16 won't be able to give it to you until later."

17 And she's like, "Just text it to me."

18 And I said, "Okay."

19 Q Did you ever lose any of those documents?

20 A Not the weekly, no.

21 Q Okay. Did you lose other documents that you
22 were supposed to turn in?

23 A I did.

24 Q What documents did you lose?

25 A The weekly papers. There was papers we had

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1 to file, fill out, which was each store. And the
2 papers, you would have the signature. You would --
3 how much the bottles there was and then how much
4 you -- after you filled it up. And then that's
5 basically the gist of it.

6 I did lose a few. But the rest she told
7 me -- she stopped asking me. After the fourth month,
8 she stopped asking for them. She just asked, "How
9 much was it here?"

10 And I would tell her the total of it. Or
11 she said as long as I had that one paper at the end
12 of the week, that's all that really mattered.

13 Q So you stopped filling them out?

14 A I didn't stop filling them out.

15 Q Okay.

16 A I just stopped giving them to her.

17 Q Do you currently have them in your
18 possession?

19 A I don't have all of them, no. I have some,
20 yeah.

21 Q Why don't you have all of them?

22 A Because I lost some of them.

23 Q How did you lose them?

24 A They flew off my truck.

25 Q Approximately how many flew off your truck?

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1 A I don't know. I didn't count.

2 Q You drove a truck for Real Water?

3 A No. I drove a smart car.

4 Q Okay. Then how did they fly off your truck?

5 A Because I was using my truck when I had
6 doctors' appointments after I get off work. And I
7 would use my own gas simply because I didn't want the
8 hassle of getting told to not use the car for
9 personal reasons.

10 Q So how often were you at the corporate
11 offices on Friday?

12 A Mostly every Friday.

13 Q And how long were you there?

14 A Six, seven months. Six, seven months.

15 Q No. How long were you there on Fridays?

16 A Oh, like 30 minutes to an hour.

17 Q Okay. And who did you interact with while
18 you were there?

19 A Bonnie.

20 Q Anybody else?

21 A Sometimes Claire, who is the lady who -- I'm
22 not aware of her position, but I know she took care
23 of the courses. And Jeremy sometimes.

24 Q Why did you interact with Claire?

25 A She -- one time she came up to me and asked

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1 me -- just every now and then just asked me how come
2 I haven't done my courses or why did I sue Real
3 Water, or meaning, for workers' comp.

4 Q And when she asked you why you didn't do the
5 courses, what did you say?

6 A I told her I'm not interested.

7 Q And what did she say?

8 A She said, "Why not?"

9 And I just said, "Just because."

10 Q Okay. And then what did she say after that?

11 A She said, "Okay."

12 Q She just let it go?

13 A Well, she asked me about the workers' comp.

14 Q Okay. But she let the courses go when you
15 said you weren't interested?

16 A Yeah, but -- yeah.

17 Q And then she asked you about the workers'
18 comp?

19 A This was a while after I started, yeah.

20 Q Okay. It was obviously after you had the
21 accident, correct?

22 A Correct.

23 Q You actually had two incidents in Real Water
24 cars, right?

25 A One accident, two claims.

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1 Q And what does she say to you about the work
2 comp?

3 A She asked me why I'm suing it.

4 And I said, "No, I'm just filing a claim."
5 That's it.

6 Q And that was the extent of the conversation?

7 A Uh-huh.

8 Q All right. So Monday through Thursday, what
9 Real Water employees did you interact with?

10 A Just on the phone, Bonnie. She would call
11 me at the end of the day to give me my schedule
12 through the phone.

13 Q Did you work on Saturday and Sunday?

14 A No.

15 Q And the Fridays that you didn't go in to the
16 office, what employees would you work with or
17 interact with?

18 A Just Bonnie, if she was there. And then
19 like I said, Jeremy every now and then just to sign
20 the paperwork.

21 Q Okay. Did you ever discuss the courses on
22 the phone with Bonnie?

23 A Yes.

24 Q How many times?

25 A I don't recall how many times, but I know I

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1 talked to her a few times about them.

2 Q Okay. And what were the contents of those
3 conversations?

4 A Asking me -- she's saying "Okay." A few
5 times she asked me, "Okay. So we're going Friday to
6 do the courses."

7 And I'm like, "I don't really want to."

8 And she's like, "Come on. You just have" --
9 "they're for a raise."

10 And I didn't want to. And I was like, "You
11 told me they were Scientology based."

12 She's like, "They are, but", she's like, "a
13 quarter."

14 And I kept telling her no, and I refused to
15 go.

16 Q And that was the end of it?

17 A That was the extent mostly. Maybe worded
18 differently, but about the same conversation every
19 time we talked about the courses.

20 Q Okay. How many times approximately did that
21 happen?

22 A A few.

23 Q More than two?

24 A Yes.

25 Q More than five?

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1 A Yes.

2 Q More than ten?

3 A Formally, we would talk about them probably
4 more than seven, below ten. But informally, just
5 here and there, nothing serious, a few times, like
6 five other times.

7 Q About approximately how long would these
8 discussions last?

9 A About the courses?

10 Q Uh-huh.

11 A Like ten minutes.

12 Q You talked about them for ten minutes going
13 back and forth about whether you should do them?

14 A Five to ten, yeah.

15 Q Okay.

16 A And how it's Scientology based. And even if
17 she doesn't believe in it, she's still going to do
18 it, it's her job.

19 Q Did she ever tell you you'd get fired for
20 not doing it?

21 A No.

22 Q Did she ever threaten you with any type of
23 discipline?

24 A I don't think so.

25 Q She just wanted you to try to get the raise,

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1 correct?

2 A Right.

3 Q And would you say that she wasn't trying to
4 be mean? She was trying to help you, in her view?

5 A According to the courses?

6 Q Yeah.

7 A In reference to the -- yes. There is no
8 reason why she would be mean about it.

9 Q It kind of seems to me from what you have
10 testified to today that you and Bonnie were kind of
11 the same mind about them with regard to the fact that
12 they were Scientology, that she agreed with you that,
13 you know, in general, that didn't need to do them,
14 but she still thought you should still do them for
15 the raise?

16 A Yeah. And she said that it -- because
17 everyone was doing it, we should. And she doesn't
18 believe in Scientology, but she did what she had to
19 in order to keep her job. And she's following the
20 rules, so . . .

21 Q Did you ever discuss religion with Bonnie
22 not related to the videos or the course work?

23 A Yes.

24 Q Okay. And when did that happen?

25 A A few times. I don't recall the dates, and

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1 I don't recall how long, but most -- a lot of our
2 conversations were based off how I'm Catholic, and I
3 don't recall what religion she is, but she doesn't
4 believe in Scientology but she does it anyway because
5 she likes her job. And how even if she doesn't
6 believe in it, she's going to do it anyway.

7 Q And when you say "do it," you're talking
8 about doing the course work?

9 A Right. And follow the way they do their
10 work, yeah, their business.

11 Q Their business model, she follows that?

12 A Uh-huh.

13 Q Is it your testimony that their business
14 model is Scientology?

15 A I believe some of it is, yes.

16 Q Okay. And what is that based off of, that
17 belief?

18 A Ron L. Hubbard, if it's . . .

19 Q If his name is attached to it, it must be
20 Scientology, right?

21 A Yes. He is a Scientologist.

22 Q Everything that you have ever done or
23 written is Catholicism?

24 MS. BARRAZA: Objection. Form.

25 THE WITNESS: Everything I ever done, like

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1 in my whole life?

2 BY MS. GINAPP:

3 Q Everything you have ever written or done, is
4 that Catholicism because you're Catholic?

5 A I would like to think I follow it.

6 Q But is the contents of any document that you
7 write inherently Catholic?

8 A No. I don't think a lot of documents
9 have -- I mean.

10 Q People can write documents that aren't
11 religious in nature?

12 A They can.

13 Q Okay. Did you ever complain to anybody
14 about your discussions about religion with Bonnie?

15 A No.

16 Q Okay. And is that because you and Bonnie
17 were basically friends?

18 A We were.

19 Q So you weren't actually upset by any of
20 these conversations that you had with Bonnie?

21 A Kind of. Sometimes.

22 Q Okay. Can you give me an example of a time
23 that you were upset with your conversation with
24 Bonnie?

25 A I have to realize it was either her way or

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1 the highway, so I kind of agreed with her. She was
2 my supervisor, so I had to agree with her, whether we
3 were friends or not.

4 Q Oh, okay. So you're not just talking about
5 the religious. You're talking about just in general
6 the things she asked you to do?

7 A Yeah.

8 Q Are you specifically talking about anything
9 religious in nature, or are you just talking about
10 when she directed you to do your work?

11 A Well, that, too, but I generalized
12 everything.

13 Q I'm sorry?

14 A Everything.

15 Q I don't understand what you mean by you
16 generalized everything?

17 A Like when I would talk to her about
18 religion, yeah, as friends. But also because she was
19 my supervisor, I wasn't going to say, "Oh, no." Like
20 I agreed -- like I agreed to whatever she said.

21 Q Okay. But you didn't do the course work?

22 A I did not.

23 Q Okay.

24 A And she kept pushing me, and I still didn't.

25 Q And you never got in trouble?

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1 A No. I mean, she would tell me like, "Oh, go
2 here instead of this," or, "Make sure you do this."

3 And I do it.

4 Q But not the course work?

5 A No.

6 Q Because that was optional, correct?

7 A It was optional.

8 Q All right. And you never complained about
9 Bonnie to her supervisors, correct?

10 A I did.

11 Q You did. Who did you complain to?

12 A I complained to Jeremy that she does things
13 a lot harder than they should be, and just because
14 it's not done her way doesn't mean it's not the right
15 way, and that customers don't -- complained about
16 her.

17 Q Okay. And, specifically, when you said she
18 does things a lot harder than they need to be, what
19 were you talking about?

20 A Work, actual work.

21 Q Not about the courses?

22 A No.

23 Q And when did you complain to Jeremy about
24 Bonnie?

25 A I have no idea. It was -- I think I might

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1 have done it, like, twice.

2 Q In the middle -- beginning, middle, end of
3 your employment?

4 A I want to say I did towards the end and in
5 the middle.

6 Q What did Jeremy say in response?

7 A "Okay. I'll let her know."

8 Q If you could go back to Exhibit A, which is
9 the complaint. If you could turn to Page 4 and look
10 at Paragraph No. 26.

11 A Okay.

12 Q All right. Can you read Paragraph 26 out
13 loud?

14 A "As time progressed, her coworkers began to
15 interact differently with plaintiff, and the
16 workplace environment became extremely unpleasant."

17 Q When it says "her coworkers," who
18 specifically does that mean?

19 A Claire, Bonnie, Christy, Jeremy sometimes.
20 Those are -- Amy, Maria. Those are the only ones I
21 basically saw.

22 Q All right. And how did Claire begin to
23 interact differently with you?

24 A Well, she was rude. She was rude, and she
25 was -- just never really listened to what I had to

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1 say, so . . .

2 Q What were you trying to say to Claire?

3 A Like even when she asked me a question, I
4 would respond, and she wouldn't even listen.

5 So . . .

6 Q Okay. And when did that begin?

7 A It started getting worse.

8 Q No. When did it start? Not when it started
9 getting worse.

10 A I don't know the date.

11 Q Beginning, middle or end of your employment?

12 A Probably middle.

13 Q Okay. And what were you trying to say to
14 her that she wasn't listening to? I'm sorry. I
15 think I asked that, but I don't know that you
16 answered it.

17 A I don't recall.

18 Q And you connected this -- did you connect
19 this to religion in any way?

20 A Yeah. That had some part.

21 Q Okay. And what part does it play in
22 Claire's being rude to you and not listening to what
23 you have to say?

24 A Not doing the courses.

25 Q Okay.

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1 A The fact that I wasn't complying to that
2 like everyone else was.

3 Q Did Claire say --

4 A They did not like it.

5 Q Did Claire say something to you that made
6 you believe that?

7 A No. But just the way it was, she was nice
8 to everyone else who did the courses.

9 Q And this was based upon when you were at the
10 office on Fridays for 30 to 60 minutes once a week?

11 A Yes. Because Fridays were the days that we
12 were supposed to do the courses.

13 Q Okay. So you didn't see the way that Claire
14 interacted with everybody else the rest of the week?

15 A I did see them the seldom times that I went,
16 like very -- you know, like when I had events and
17 stuff like that.

18 Q How often was that?

19 A I don't know. Like twice every couple
20 months. Well, I only did like five -- four events.

21 Q Did anyone ever tell you that Claire was
22 upset with you or treating you this way because of
23 your not doing the courses?

24 A No.

25 Q Is it completely speculation on your part?

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1 A Well, yeah. The way she made me feel, yes.

2 Q But it's completely speculation on your part
3 that it was related to your not doing the courses,
4 correct?

5 A Correct.

6 Q Okay. Christy, when you say Christy, you
7 mean Christy Panalakus?

8 A No. Oldenkamp.

9 Q Oh, okay. Christy started treating you
10 differently?

11 A No. That was who I spoke to.

12 Q Okay. Because it says, "As time progressed,
13 her coworkers began to interact differently." So --

14 A She was best friends with Bonnie.

15 Q Okay. Did she start interacting with you
16 differently?

17 A Yes.

18 Q Okay. And can you explain to me how she
19 started interacting with you differently?

20 A Well, we were friends in the begin- -- well,
21 when she -- a little after she started. And then she
22 just became very hostile and, I guess you'd say,
23 rude. It got to the point where I didn't even want
24 to show up to the office because I felt the negative
25 vibe.

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1 Q Do you relate the way that Christy was
2 acting when you say that you felt like she became
3 hostile and rude, do you relate that to religion in
4 any way?

5 A No.

6 Q Do you relate that to the course work in any
7 way?

8 A No. Not her.

9 Q All right. You relate that to something
10 personal between the two of you?

11 A No.

12 Q Okay. What do you relate it to?

13 A The fact that I left and she's friends with
14 Bonnie.

15 Q Okay. So what do you mean you left?

16 A Well, I got fired.

17 Q Oh, okay. So this was after that she
18 treated you different, not while you were actually
19 employed?

20 A No. While we were employed -- while I was
21 employed, she was different, and I think it still has
22 to do with Bonnie.

23 Q Just because she was friends with Bonnie?

24 A No. She's been friends with Bonnie.

25 Q Okay. But that was why she was being rude

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1 to you?

2 A I'm not sure.

3 Q Okay.

4 A I didn't ask her.

5 Q Oh, okay. Did you ask Claire why she was
6 being rude to you?

7 A No. She wasn't a friend, so I figured that
8 would be the reason why. Christy was.

9 Q So you're not really sure why Christy became
10 hostile and rude to you?

11 A Uh-huh. Yeah.

12 Q That's a true statement, you don't know why?

13 A Not Christy, no.

14 Q So it would be complete speculation for you
15 to testify the reason why Christy treated you
16 hostilely or rudely, correct?

17 A Other -- I mean, other than Bonnie, like I
18 said, it's -- other than Bonnie, that's the only
19 reason.

20 Q Do you have any actual evidence that it was
21 because of Bonnie, or is that just something --

22 A In written form? No.

23 Q Okay.

24 A Not no more.

25 Q Did anybody say anything to you, say it was

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1 Bonnie?

2 A She did.

3 Q She said it was because of Bonnie?

4 A Yeah. She told me that Bonnie was saying,
5 you know, that I wasn't doing my job and that --
6 yeah.

7 Q Okay. She said that Bonnie said you weren't
8 doing your job?

9 A A few times.

10 Q And that was what you believe was the
11 reason?

12 A Yeah.

13 Q Amy, Amy who?

14 A Jones.

15 Q Okay. And what interaction did you have
16 with Jamie -- or sorry, with Amy in your position?

17 A Not so many. Not so much.

18 Q So how did she begin to interact with you
19 differently?

20 A Well, she was just -- every time I came by
21 her, she was just really rude. And there was no need
22 for her to be like that to me. And I feel like with
23 her and Jeremy, I feel like it was because I wasn't
24 following what all of them were following. I was
25 kind of like the outcast.

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1 Q And when you say because you weren't
2 following what they were following, what do you mean?

3 A The videos, the courses, their structure. I
4 did my job, and I didn't want anything to do with
5 what they believe in.

6 Q Okay. But you did watch the videos, right?

7 A Right. Because I wasn't aware of what they
8 were about in the beginning.

9 Q Okay. Were you not following -- were you
10 actively not following what the videos told you about
11 the company?

12 A They're very unorganized. They don't
13 really --

14 Q That's not my question. My question is,
15 were you actively not following --

16 A I was following what they told me. I was
17 doing my job, telling me what I needed to do, so I
18 did.

19 Q Okay. So it wouldn't have been the videos.
20 It would have just been the course work that Amy
21 would have been upset with you about, because you
22 were doing the videos?

23 A Yeah. Yes.

24 Q Okay. And did you ever have any discussions
25 with Amy about the course work?

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1 A No.

2 Q Have you ever talked to Amy Jones?

3 A Like twice.

4 Q Okay. What did you talk about?

5 A I -- nothing really. We never really had a
6 conversation. It was more of a "hey" and "bye"
7 thing. But --

8 Q Did anybody ever tell you that Amy was upset
9 with you?

10 A No.

11 Q So is it completely speculation on your part
12 that Amy was upset with you for not doing the course
13 work?

14 A Yeah.

15 Q What about Jeremy? Did Jeremy ever talk to
16 you about not doing the course work?

17 A Yes.

18 Q Okay.

19 A Twice.

20 Q What did he say to you about it?

21 A He asked me, "When are you doing the course
22 work?"

23 And I said, "I don't know."

24 And he said, "Okay. Make sure you get it
25 done."

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1 And I said, "Okay."

2 Q Both times that's what he said?

3 A Once. The second time he just mentioned the
4 course work. He didn't really ask me to do it or
5 anything.

6 Q And is it your belief that Jeremy was
7 interacting with you differently because you weren't
8 doing the course work?

9 A That's part of it, yes.

10 Q And what else?

11 A After the religious and the case, the
12 complaints I had open as well.

13 Q The work comp complaints?

14 A Uh-huh.

15 Q Oh, okay. So you thought he was upset about
16 work comp. All right.

17 Did Jeremy ever tell you that he was upset
18 about the work comp complaints?

19 A No.

20 Q Did he ever tell you that he was upset about
21 you not doing the course work?

22 A No.

23 Q So is it complete speculation on your part
24 that he was upset with you about those two things?

25 A I mean, you can tell. But if that's -- I

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1 guess, yeah. I mean, you can tell when their
2 demeanor changed.

3 Q Demeanor changed when?

4 A Well, things started to get weird. That's
5 why I didn't want to go to the office anymore. I
6 still went, but I didn't want to.

7 Q When did they start to get weird?

8 A After the accident.

9 Q So how do you know that it is related --
10 that the way that Jeremy was interacting with you
11 differently was related to the religious aspect of
12 not doing the course work or just not doing the
13 course work versus the accidents that you were in?

14 A Well, from what I saw, people who did the
15 course work, their attitude didn't change, his
16 attitude didn't change towards them. And to me, it
17 did.

18 Q Were those people involved in an accident?

19 A No. But the accident wasn't my fault.

20 Q I understand that. I'm just saying, how do
21 you know that it's -- when he was interacting
22 differently with you that it was due to not doing the
23 course work versus --

24 A It shouldn't last a very long time.

25 Q Did anybody ever tell you that Jeremy was

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1 upset with you for not doing the course work?

2 A No. Not officially.

3 Q So you don't have any actual evidence. It's
4 just your surmise, correct?

5 A Sure.

6 Q Is that a yes?

7 A Yes.

8 Q All right. Marie, who's Marie?

9 A Maria.

10 Q I'm sorry. Maria.

11 A She's the accountant.

12 Q What's Maria's last name? Do you know?

13 A No.

14 Q What kind of interaction did you have with
15 the accountant?

16 A I saw her when I needed the gas receipts, my
17 check, every time I needed to turn in any type of --
18 like any time I needed to talk to her about, like,
19 any gas or mileage or anything about the car or
20 anything like that.

21 Q And she was treating you differently?

22 A She was. She was really nice at first, and
23 then out of nowhere she just turned.

24 Q And when did she turn?

25 A She was rude.

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1 About the same time Jeremy did.

2 Q Right after the accident?

3 A A little before that.

4 Q Before the accident?

5 A Uh-huh.

6 Q And do you relate Maria's changing to your
7 not doing the course work or any religious issues?

8 A No.

9 Q Okay. Did anyone at Real Water ever tell
10 you that your religion was wrong?

11 A No.

12 Q Did anyone ever degrade your religion in any
13 way?

14 A No.

15 Q Did you ever meet Brent Jones?

16 A I want to say once or twice for like a
17 minute, if that.

18 Q Do you recall when you met him?

19 A No. I saw him once towards the end of my
20 work period, and then I saw him at the beginning. I
21 want to say within the first month of starting.

22 Q What did you -- did you talk to him when
23 you --

24 A No. He just -- Jeremy just introduced me,
25 and that's it.

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1 Q Did you speak with him about Scientology at
2 all?

3 A No.

4 Q Did he ever try to communicate with you in
5 any way, either orally or written form, about
6 Scientology?

7 A No.

8 Q Do you know who Blaine Jones is?

9 A His son.

10 Q Do you know what his position is at the
11 company?

12 A No.

13 Q Did you ever meet Blaine?

14 A I mean, I walked by his office, but we never
15 got formally introduced.

16 Q Did you ever speak to him at all?

17 A No.

18 Q So did you ever speak to him about
19 Scientology?

20 A No.

21 Q Did he ever attempt to communicate with you
22 in any way, orally or written, about Scientology?

23 A No.

24 Q Do you know if Blaine is a Scientology?

25 A Do I know he is a Scientologist?

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1 Q Do you know if he is?

2 A I don't know.

3 Q Did Amy Jones ever speak to you about
4 Scientology?

5 A No.

6 Q Did she ever try communicate with you in any
7 way, written or oral, about Scientology?

8 A No.

9 Q Do you know who Frank Consiglio is?

10 A No.

11 Q Did Jeremy Edgel ever try to -- or did
12 Jeremy Edgel ever speak with you about Scientology?

13 A No.

14 Q Did he ever try to communicate with you in
15 any way, oral or written, about Scientology?

16 A No.

17 Q Do you know if Jeremy is a Scientologist?

18 A I don't know if he is an official
19 Scientologist, but he has never really said he is a
20 Scientologist.

21 Q Do you know who Christy Panalakus?

22 A Yes.

23 Q Who is Christy Panalakus?

24 A She was the HR of Real Water.

25 Q Okay. She was HR at the end of your

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1 employment relationship with Real Water?

2 A Correct.

3 Q Okay. Did you ever speak with Christy
4 Panalakus about Scientology?

5 A No.

6 Q Did she ever attempt to communicate with you
7 in any way, oral or written, about Scientology?

8 A No.

9 Q Do you know if she's a Scientologist?

10 A No.

11 Q No, you don't know, or, no, she isn't?

12 A No, I don't know.

13 Q Claire, who we referenced earlier, did she
14 ever speak to you about Scientology?

15 A No.

16 Q Did she ever try to communicate with you in
17 any way, oral or written, about Scientology?

18 A Other than the courses, no.

19 Q Do you know if she's a Scientologist?

20 A I do not know.

21 Q Marie Nava, who we spoke about earlier -- or
22 not Marie, Melissa Nava who we spoke about earlier,
23 did she ever speak to you about Scientology?

24 A No.

25 Q Did she ever attempt to communicate with you

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1 in any way, oral or written, about Scientology?

2 A No.

3 Q Do you know if she's a Scientologist?

4 A No, I do not know.

5 Q Did anyone else at the company ever try to
6 talk to you, besides Bonnie Mercado, about
7 Scientology?

8 A No.

9 Q When you were hired, did your job
10 description require that you travel around Nevada and
11 California?

12 A Yes.

13 Q And did you actually ever travel to
14 California?

15 A No.

16 Q Why not?

17 A Because they never sent me out there. And
18 then after the accident, I was under medical
19 restriction.

20 Q So you had a medical restriction that said
21 you could not go to California?

22 A No. But it said I couldn't sit for long
23 periods of time, and I told him that. I sent him the
24 paper. I showed it to him.

25 Q Who's him?

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1 A Jeremy.

2 Q You showed Jeremy the paperwork?

3 A Uh-huh.

4 Q Okay. And they didn't make you go to

5 California, correct?

6 A No.

7 Q That is correct, right?

8 A Correct.

9 Q Did you have any problems performing your
10 job after the accident?

11 A Yes.

12 Q What was that? You couldn't sit for a while
13 so you couldn't travel to California, correct?

14 A Correct --

15 Q Anything else?

16 A -- or anywhere.

17 Q You couldn't travel anywhere?

18 A No. I couldn't really travel. I couldn't
19 sit for long periods of time.

20 Q You could drive around town, though, and
21 attend to the stores in the state, correct, or in the
22 Las Vegas area?

23 A They're only -- yeah. They're only ten
24 minutes apart, so, yes. And I would get up and walk.
25 I would have to -- I still got my work done. But I

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1 couldn't be squatting or lifting the boxes. So I
2 would individually take out the bottles and put them
3 in a cart and then push them.

4 Q Were you eventually released to full duty?

5 A No.

6 Q The restriction was on sitting for long
7 periods of time?

8 A Uh-huh.

9 Q Was that the only restriction that you had?

10 A No lifting above ten pounds, no squatting,
11 no bending. And those restrictions are still now.

12 Q What is your understanding of why you were
13 terminated from Real Water?

14 A What I was told?

15 Q Yeah. What were you told?

16 A Well, it was -- I feel like it was a mixture
17 of everything, of both.

18 Q What were you told was the reason you were
19 terminated?

20 A They told me it was because I couldn't
21 travel, so they don't need me anymore.

22 Q That was the reason they gave you?

23 A Yes.

24 Q Okay. Were you provided with non-optimum
25 reports?

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1 A The day of, yes, the day I got fired. Right
2 after he told me that, yes.

3 Q And by he --

4 A Jeremy and Christy.

5 Q Christy Panalakus?

6 A Yes.

7 Q Were they the only two at your termination
8 meeting?

9 A Yes.

10 Q Any other reason that you were given that
11 you were terminated?

12 A Not that I recall, no.

13 Q What do you believe was the reason you were
14 terminated?

15 A I believe it's because of the not following
16 what they -- their Scientology belief and also the
17 medical disability. It was a mixture of both. I
18 feel like if it was just one thing, they wouldn't
19 have lied to me to come and bring the car in.

20 Q And that belief regarding because you didn't
21 follow Scientology is based on everything that you
22 testified to today, correct?

23 A Correct.

24 Q Is there any other evidence that you have to
25 support that claim that you haven't testified about

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1 yet?

2 A No.

3 Q At your termination meeting, did either
4 Jeremy or Christy state anything about your
5 termination being based upon your not following
6 Scientology?

7 A Of course not.

8 Q Did either of them say anything about your
9 not doing the course work?

10 A No.

11 Q Did either of them say anything about your
12 medical disability?

13 A They said I couldn't travel.

14 Q And that was the reason that you were
15 getting terminated?

16 A Well, they knew that I -- he knew -- Jeremy
17 knew that I was under medical restriction, so, yes,
18 he knew.

19 Q So because you couldn't travel, that was the
20 only reason given to you for your termination?

21 A Yeah. And then the optimum reports came up
22 after.

23 Q And you didn't relate the non-optimum
24 reports to your termination?

25 A I did, but they came up to me the day of. I

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1 never got a warning or anything, and I had no chance
2 to defend myself or anything. They didn't really
3 care what I had to say, so . . .

4 (Defendant's Exhibit K was marked for
5 identification.)

6 BY MS. GINAPP:

7 Q You have been handed what's been marked as
8 Exhibit K. Please take a look at it, and let me know
9 when you're ready to talk about it.

10 A Okay.

11 Q You ready?

12 A Uh-huh.

13 Q Do you recognize this document?

14 A I do.

15 Q Have you seen it before?

16 A Once or twice.

17 Q And when did you see it?

18 A The day I got fired.

19 Q What is this document?

20 A A non-optimum report.

21 Q It's a non-optimum report dated 10/18/15,
22 correct?

23 A 10/8.

24 Q Sorry. 10/8/15, correct?

25 A Correct.

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1 Q All right. And at the bottom, it's marked
2 Plaintiff 1 and Plaintiff 2, correct, pltf?

3 A Yes. Uh-huh.

4 Q And so did you receive a copy of this at
5 your termination meeting?

6 A I did.

7 Q And is this, in fact, a copy that you
8 received?

9 A Yes.

10 Q Is this a true and correct copy of this
11 particular non-optimum report that you received at
12 your termination meeting?

13 A Yes.

14 Q All right. On the front page, it's signed
15 by what looks to be Bonnie Mercado. Do you recognize
16 that as Bonnie's signature?

17 A Yes.

18 Q And there is no signature of the recipient,
19 which would be you, correct?

20 A Correct.

21 Q Did you refuse to sign this agreement --

22 A Yes.

23 Q -- or sorry, this non-optimum report?

24 A Yes.

25 Q And why did you refuse to sign it?

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1 A Because I didn't get to defend myself. They
2 didn't give me a chance to explain or anything. So
3 their mind was already made up.

4 Q So the contents of this, I'm going to
5 summarize it, is essentially that Bonnie made a
6 statement that these stores listed on Page 2, that
7 the representatives there had not seen a Real Water
8 employee since Bonnie had been on a business trip
9 in -- for essentially a month, from September to
10 October, correct?

11 A That's what she says.

12 Q Okay. And the stores listed, were those the
13 stores that you were supposed to be servicing on
14 behalf of Real Water in your position as brand
15 manager?

16 A Yes. But not every day.

17 Q Okay. But they all are your stores -- were
18 your stores, correct?

19 A She gave me the stores, yeah, while she was
20 gone.

21 Q And did you actually go to these stores
22 during that time?

23 A Yes.

24 Q So it's your position that these individual
25 managers who she cites are lying about the fact that

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1 you were not there?

2 A No. I was there. And I didn't -- I'm not
3 saying they're lying. I did not see -- like when
4 they -- if they're busy, I'm not going to take away
5 the time from them. So I would go in there and do my
6 job and leave.

7 Q Weren't the managers supposed to sign off on
8 a document, though?

9 A Right, they were. But they were busy.

10 Q So you didn't have them sign off on the
11 document that they needed to?

12 A No. And, yeah -- okay.

13 Q Is there any other defense that you have
14 that you want to state right now to what's contained
15 in this non-optimum report?

16 A I mean, according to these stores? In
17 reference to the stores?

18 Q In reference to this --

19 A -- defending myself to Jeremy?

20 Q Yeah. You said you weren't allowed to
21 defend yourself, so I'm asking what your defense is.

22 A In this -- the middle section, especially
23 the very first person, they didn't have a manager, a
24 nutrition manager, so any other manager was taking
25 care of this section.

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1 Q When you say this "middle section," can you
2 tell me the stores that you're referencing?

3 A The 225 East Centennial, I'm speaking about
4 that one in general.

5 Q That's Smith's?

6 A Yeah. And then I did go to the other
7 people. I know Larry and I know Del. And I dealt
8 with the guy. He was on vacation for a week too.

9 Q So it's your testimony that either Bonnie or
10 the individuals listed for each store are not being
11 truthful about what happened?

12 A I'm not saying they're not being truthful,
13 no. I'm just saying they probably don't remember or
14 I didn't see them.

15 Q Anything else you want to say about this
16 particular non-optimum report?

17 A I did go to the last -- yeah. I did go to
18 the last stores.

19 Q But you didn't meet with any of these
20 managers, correct?

21 A I met with Ben, the receiver, which is on
22 the second line.

23 Q I'm sorry. Can you tell me what store
24 you're referring to?

25 A Yeah. 1760 East Charleston and 2085.

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1 Q You met with Ben?

2 A Yeah.

3 Q Any other ones that you met with?

4 A 1155 East Twain Avenue, I met with somebody
5 else. Not Don.

6 Q But you didn't have them sign off on
7 anything, correct?

8 A Correct.

9 Q So you can't prove that you met with them?

10 A Yeah.

11 Q Anything else on that one?

12 A No.

13 (Defendant's Exhibit L was marked for
14 identification.)

15 BY MS. GINAPP:

16 Q You have been handed what's been marked as
17 L. Can you take a look at it. And when you're ready
18 to discuss it, let me know.

19 MS. GINAPP: You know what? While she's
20 looking at that, why don't we take a bathroom break.
21 We'll go off for like ten minutes. Does that work?

22 THE VIDEOGRAPHER: The time is approximately
23 3:25 p.m. We are going off the record.

24 (Off the record.)

25 THE VIDEOGRAPHER: The time is approximately

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1 3:35 p.m. We are back on the record.

2 BY MS. GINAPP:

3 Q Okay. Have you read Exhibit L, and are you
4 ready to speak about it?

5 A Yes.

6 Q Do you recognize this document?

7 A Yes.

8 Q What is it?

9 A It's a non-optimum report.

10 Q And is it another non-optimum report dated
11 10/8/15?

12 A Yes.

13 Q And did you receive this document at your
14 termination meeting as well?

15 A Yes.

16 Q And is this your copy of the document that
17 you received at your termination meeting?

18 A Yes.

19 Q And it's a true and accurate copy of the
20 document you received at your termination meeting?

21 A I thought this one was with this. They were
22 together. Or maybe not. I don't know.

23 Q And you're referencing Exhibit K, the prior
24 exhibit?

25 A Yeah.

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1 Q Okay. All right. Well, just looking at
2 Exhibit L, then, this document is also signed by
3 Bonnie Mercado, correct?

4 A Correct.

5 Q But it is not signed by you, right?

6 A Right.

7 Q And why didn't you sign this document?

8 A Because I didn't get a chance to defend
9 myself.

10 Q Did you refuse to sign it?

11 A Yes.

12 Q And can you summarize for me what this
13 non-optimum report says?

14 A She called me to ask me if I went to these
15 stores, which I'm not exactly sure which stores she's
16 referring to. And she said, "I see these people
17 every week." And --

18 Q Let's just go through it line by line. Do
19 you recognize this to be Bonnie's handwriting on the
20 second page?

21 A Yes.

22 Q Let's talk about non-optimum reports. Are
23 non-optimum reports essentially another name at Real
24 Water for a disciplinary action, or is it not
25 disciplinary in nature?

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1 A A written.

2 Q It's like a written?

3 A Yeah, a write-up.

4 Q A write-up. Okay.

5 Can anybody write a non-optimum report for
6 any other employee?

7 A I thought it was just your higher-up.

8 Q Did you ever write a non-op report for
9 anybody?

10 A Not that I know of, no.

11 Q So looking at Page 2 of Exhibit L, this
12 appears to you to be Bonnie's handwriting, correct?

13 A Yes.

14 Q And you're familiar with her handwriting,
15 correct?

16 A Yes.

17 Q All right. So the first sentence says,
18 "Today, 10/18/15, I called her to ask her if she
19 has -- asked if she has went to these stores. And
20 she lied saying, 'Yes, I see these people every
21 week.' "

22 So did -- to your recollection, did Bonnie
23 call you on October 8, 2015, and ask you if you had
24 gone to your stores?

25 A Yes.

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1 Q Okay. And 10/8/15 was the day before your
2 termination, correct?

3 A Correct.

4 Q And did you tell her, "I see these people
5 every week"?

6 A Yeah. And I was speaking about in general.

7 Q Okay. Did she ask you about specific stores
8 or just all of your stores in general?

9 A I don't recall. I think she was just asking
10 about that day.

11 Q The next sentence says, "I specifically
12 asked Grecia about the stores who said they have
13 never met her at all. And she said with attitude,
14 'Of course, Bonnie. I see these people every week.
15 Of course I know them.'"

16 Is that a true statement?

17 A Yes. But it wasn't said with an attitude.

18 Q Okay. The next statement says, "I then knew
19 she was lying and asked her to bring paperwork, Real
20 Water merchandise reports to verify. And she told
21 me, 'Oh, girl, I lost them the other day. I only
22 have this week and a few from last week.'"

23 So setting aside her opinion that you were
24 lying, did she ask you to bring paperwork to Real
25 Water, merchandising reports to verify that you had

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1 visited those places?

2 A After a few months, yes. She asked me to
3 bring -- I don't know if she was talking about just
4 those or all of them, because she hadn't asked me in,
5 like, more than a month and a half.

6 Q But on October 8th, did she ask you to do
7 that?

8 A Yes.

9 Q In that telephone call?

10 A Yes, I think so.

11 Q Okay. And then did you respond, "Oh, girl,
12 I lost them the other day. I only have this week and
13 a few from last week"?

14 A No. I told her what happened, the truck,
15 because I was using my truck. And I didn't just lose
16 certain -- I lost a pile. And it was -- I don't know
17 if they were from three months ago or that week. It
18 was just a pile that I had put on top while I was
19 getting in.

20 Q Was there anything else about this summary
21 that you dispute other than her opinion that you were
22 lying?

23 A My attitude.

24 Q Okay. Anything else that you dispute?

25 A I did see the people -- well, other than she

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1 thought I was lying, no.

2 Q Okay. Anything else that you want to say
3 about Exhibit L?

4 A Just that if I didn't say things how she
5 wanted to hear them, then it was considered an
6 attitude or rude.

7 Q And that's your opinion based upon your
8 conversations with her?

9 A Yes. And because she likes things done her
10 way. Even if it's the same exact thing, just an
11 easier way, she still gets mad because it's not done
12 exactly how she likes it.

13 Q Okay. And she was your supervisor, correct?

14 A Correct.

15 (Defendant's Exhibit M was marked for
16 identification.)

17 BY MS. GINAPP:

18 Q Okay. You have been handed what's been
19 marked as Exhibit M. Please review it. And when
20 you're ready to discuss it, let me know.

21 A Okay.

22 Q Do you recognize this document?

23 A I do.

24 Q And can you explain what it is?

25 A It's a non-optimum report.

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1 Q And it's another non-optimum report dated
2 10/8/15, correct?

3 A Correct.

4 Q All right. And the signature of the
5 originator for this non-optimum report, and it says
6 at the top, Bonnie, was Bonnie Mercado, correct?

7 A Correct.

8 Q And you actually signed this non-optimum
9 report, right?

10 A Right. Because it was the first one on top
11 of all of them.

12 Q Okay. So this was the first one you
13 received?

14 A Uh-huh.

15 Q Okay. And that was the whole entire reason
16 that you signed it?

17 A No. And partially it was true.

18 Q Oh, okay. And did you receive this document
19 in your termination meeting?

20 A I did.

21 Q Okay. And is this a true and accurate copy
22 of the document that you received at your termination
23 meeting?

24 A Yes.

25 Q Okay. So this non-optimum report says, "I,

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1 Bonnie Mercado, received a text at 10:27 a.m. stating
2 that Grecia had a doctor appointment around 12-ish
3 because she had been throwing up about two days now
4 and forgot to tell me. She has previously done this,
5 and today was the last straw of just stopping early.
6 There was no mention in previous text to me that she
7 was ill, as she usually does."

8 Did I read that correctly?

9 A Yes.

10 Q All right. So the first sentence states
11 that Bonnie received a text at 10:27 a.m. stating
12 that you had a doctor appointment around 12-ish
13 because you had been throwing up for two days?

14 A Right.

15 Q Is all that true?

16 A Yes.

17 Q Okay. And that you had forgotten to tell
18 her that you were sick for two days?

19 A No. I had mentioned to her prior to that.
20 She knew I was constantly sick.

21 Q Okay. You were constantly sick throwing up?

22 A And she knew I had ulcerative colitis and
23 Crohn's.

24 Q So the question was, she knew you were
25 constantly sick throwing up?

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1 A She knew I was constantly sick throwing up
2 that time, yes.

3 Q Is throwing up something that's just part of
4 your illness with --

5 A Yes.

6 Q -- ulcerative colitis and Crohn's?

7 A Yes.

8 Q And how did she know that you had ulcerative
9 colitis and Crohn's?

10 A I told her, as well as I told Jeremy and
11 Anthony.

12 Q Had you previously done this as she reports?

13 A Yes. But I told her with time. I told her
14 a couple of days prior.

15 Q So this time you didn't give her any notice,
16 correct?

17 A Correct.

18 Q And that was what she was upset about, as
19 far as you knew?

20 A Yes.

21 Q All right. Is there anything else that you
22 want to add to your defense of this non-optimum
23 report?

24 A Well, that was a -- just that doctor's
25 appointment was made late. It wasn't, like, planned

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1 and then I just told her last minute.

2 Q The two days prior to that that you were
3 throwing up, were you working?

4 A Yes.

5 Q And were you working on the 8th as well?

6 A Yes.

7 (Defendant's Exhibit N was marked for
8 identification.)

9 BY MS. GINAPP:

10 Q You have been handed what's been marked as
11 Exhibit N. If you would review that, and let me know
12 when you're ready to discuss it.

13 A Okay.

14 Q Do you recognize this document?

15 A I do.

16 Q And what is this document?

17 A A non-optimum report.

18 Q And is this non-optimum report dated
19 October 9, 2015?

20 A Correct.

21 Q Okay. And it was also initiated by Bonnie
22 Mercado?

23 A Yes.

24 Q And you signed this one, correct?

25 A Correct.

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1 Q All right. And why did you sign this one?

2 A Because this day I didn't have that route.

3 Q Okay. Is all of the handwriting on this
4 document Bonnie Mercado's, to the best of your
5 knowledge?

6 A Yes.

7 Q Other than your signature, is any of the
8 handwriting on this non-optimum report yours?

9 A No.

10 Q Okay. So basically, if I can summarize
11 this, and please correct me if you disagree, this is
12 Bonnie's summary that she actually went to the
13 particular stores listed and spoke with them and
14 viewed the displays for Real Water and what she saw
15 there, correct?

16 A Correct.

17 Q And you dispute the contents of this
18 non-optimum report?

19 A Yes.

20 Q And can you explain to me why you dispute
21 it?

22 A Our -- the runs, she would call me and give
23 me the runs daily. And then while she was gone, she
24 just would tell me what run to do. So I would look,
25 you know, at my old -- like old schedules. And she

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1 would change them last minute, and then she would
2 just make a mess. But this day I went to another
3 route, the last day. This was her route.

4 Q But she had been in California, correct?

5 A Correct.

6 Q And were you supposed to be covering her
7 route in Vegas while she was gone?

8 A Yes.

9 Q And did you go to any of these stores while
10 she was gone?

11 A I covered them twice.

12 Q Do you have any documentation showing that
13 you covered them twice?

14 A I don't know. I have a whole stack of
15 papers at home.

16 Q Okay. And those have not been produced to
17 us through your attorney?

18 A I didn't think I needed them.

19 MS. GINAPP: We're going to need those
20 documents, Counsel.

21 BY MS. GINAPP:

22 Q Anything else you want to say about this
23 non-optimum report?

24 A No.

25 Q When you were presented with this

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1 non-optimum report or any of the others at your
2 termination meeting, did you offer to provide them
3 evidence that you had actually been to any of the
4 stores listed on any of the non-optimum reports?

5 A No. They didn't really care.

6 Q And what makes you believe they didn't
7 really care?

8 A They wouldn't let me give my side of the
9 story.

10 Q Did you text message with Bonnie?

11 A Yes.

12 Q Did you text message with her after you were
13 terminated?

14 A I did. And Jeremy.

15 (Defendant's Exhibit O was marked for
16 identification.)

17 BY MS. GINAPP:

18 Q Go ahead and review what's been marked as
19 Exhibit O. And when you're ready to discuss, let me
20 know.

21 A Okay.

22 Q Do you recognize these text messages?

23 A I do.

24 Q Are these text messages that you sent to
25 Bonnie?

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1 A I did.

2 Q Okay. And are there any text messages in
3 here that you deny sending to Bonnie?

4 A No.

5 Q Are the text messages complete?

6 A On my side?

7 Q Uh-huh.

8 A Yes. I think so.

9 Q So looking at the first page, marked at the
10 bottom RW54, there's a text message that says,
11 "You're a coward."

12 Can you tell me why you sent that text
13 message to Bonnie?

14 A Yes. Thursday and Friday, or Thursday,
15 specifically, she kept blowing up my phone. So I
16 blocked her. And after I got fired on Monday
17 morning, I get text messages from a client, one of
18 the customers, saying that Bonnie is bad-mouthing me
19 and saying bad things about me when she shouldn't.
20 And if she did it to her, she's probably going to do
21 it to everyone else. And then -- yeah.

22 Q What was the customer that you received the
23 text message from?

24 A What was?

25 Q Who was the customer?

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1 A Her name is Mercedes.

2 Q Do you remember Mercedes' last name?

3 A No.

4 Q Okay. Was she from a store?

5 A Yes.

6 Q What store was she from?

7 A I don't know the number, but it's on
8 Flamingo and Decatur, the Smith's.

9 Q Did she tell you what she was saying?

10 A She was saying that I wasn't -- she was
11 basically saying that I wasn't doing my job, that I'm
12 a bad worker, things like that. She didn't really
13 get into detail. I was just like, "Okay. Thanks for
14 letting me know."

15 Q So why did you call her a coward in this
16 text message?

17 A Because she wouldn't -- when I called her
18 back after blowing up my phone, she wouldn't respond.
19 So I just let it be. And then I blocked her. So I
20 don't know if she responded to these messages or not.
21 And because she likes to talk about other people
22 behind their back, and then when you confront her
23 about it, she denies it.

24 Q So the next two text messages seem to go
25 together. They say, "You think people aren't going

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1 to talk to me about what you're doing? Lol. Stop
2 talking about me, Bonnie, or things will get bad."

3 What did you mean by that, that "things will
4 get bad"?

5 A That things would blow up.

6 Q How?

7 A Meaning that I'm going to have to go to
8 Jeremy. I told Jeremy, and Jeremy didn't respond,
9 so . . .

10 Q So this was after you were terminated, you
11 were going to have to go to Jeremy?

12 A Well, I texted Jeremy telling him about
13 what's Bonnie talking about me and stuff. And I
14 don't know if he responded or not. I blocked him as
15 well.

16 Q So that's what you meant "or things will get
17 bad." That meant you would go to Jeremy. It didn't
18 mean anything else?

19 A Correct.

20 Q If they're already --

21 A Or -- sorry. Or basically say things that
22 she talked to me in confidence.

23 Q You were going to tell people what she told
24 you?

25 A Not tell people, but tell Jeremy, talk to

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1 Jeremy about it. But I never did. I let it go.

2 Q Things related to work?

3 A Some, yes.

4 Q What were those things?

5 A I'd rather not.

6 Q You don't have a choice. You can say no if
7 you want, but I can give a motion to compel.

8 A Well, all the Scientology stuff. And all,
9 like, how she keeps the per diem money and she uses
10 the car for private -- private usage.

11 Q For personal use?

12 A Yes.

13 Q Okay. Anything else?

14 A When she goes to California, she takes her
15 daughter when she's at work. And I was told that's
16 not supposed to be. But I never did, so . . .

17 Q Anything else?

18 A What she said about Jeremy. I mean --

19 Q What did she say about Jeremy?

20 A That Jeremy was an ex-heroin addict and that
21 he probably still uses. Things that weren't
22 really -- so, you know, I didn't say anything. I
23 just let it go.

24 Q Okay. Next sentence says, "If they already
25 let me go because of you and some injustice and lies

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1 about your shit, then shut your fucking mouth and let
2 it be easy as that."

3 Is that correct? Did I read that correctly?

4 A You did.

5 Q Then it looks like there's just a period on
6 10/14, correct?

7 A Yes.

8 Q Then on 10/19/2015, it says, "Seriously,
9 stop telling people what's not true. Stop saying
10 things based upon assumptions."

11 What were you referencing there?

12 A Well, I went to a store and talked to one of
13 the managers, and, again, he was telling me the same
14 thing, similar things.

15 Q What store did you go to?

16 A Rainbow and Charleston, I believe.

17 Q What store?

18 A It's an Albertsons.

19 Q Okay. Why did you go to that store to talk
20 to a manager?

21 A I was there shopping and I saw him, so I was
22 just talking to him. He was asking me how I was
23 doing and how come I'm not there anymore. And he
24 said Bonnie came in there bad-mouthing me. And I was
25 like, "Oh, okay."

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1 Q What did he say that she said about you?

2 A The same thing as Mercedes.

3 Q That you weren't working there and that you
4 weren't doing your job?

5 A Yeah. And then she was saying -- basically
6 telling everyone else. But she wasn't just saying it
7 like that. She was saying it in a very derogatory
8 way.

9 Q That's what he told you, or that's what you
10 surmised?

11 A That's what he told me.

12 Q All right. Then there's one that says,
13 "They're over here trying to tell me everyone is
14 trying to get ahold of me, and it was only you and
15 Jeremy after 2:30. I don't answer after 2 to them."

16 A This was prior to me getting fired.

17 Q Okay.

18 A Well, that text message, I believe. That
19 was the day I got fired, if I'm not mistaken.

20 Q What does it mean, "I don't answer after 2
21 to them"?

22 A Meaning I was already off work.

23 Q So you don't have to respond to your
24 employer's telephone calls after you're off work?

25 A Not -- no, I don't want to. Plus I had

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1 stuff to do, so, no. I had a doctor's appointment.

2 But I got ahold of Christy Panalakus, who told me to
3 bring the car in, when in reality it was to fire me.

4 Q It says, "He was lucky I did today." What
5 does that mean?

6 A That I answered after 2:30.

7 Q So you were sending these text messages, you
8 believe, on the day that you were fired after you got
9 fired, correct?

10 A Yes.

11 Q Okay. So then the next one says, "Good job,
12 Bonnie. You just cost Real Water money." Or monry,
13 but I assume you meant money. Correct?

14 A Yes.

15 Q And what do you mean by that, "You just cost
16 Real Water money"?

17 A To be honest, I'm not really sure.

18 Q Was it a threat?

19 A It's probably because I was sad. No, it
20 wasn't really a threat. I don't see why it would be
21 a threat.

22 Q Did you mean that you were going to file a
23 lawsuit against Real Water?

24 A No.

25 Q Okay. So next one says, "Shit just got

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1 real."

2 What did you mean by that?

3 A That I was sad and angry.

4 Q It was not meant as a threat?

5 A No. I don't think so.

6 Q Well, you're the one that sent it, correct?

7 A Correct. I was sitting there crying,
8 texting her back, so I guess -- these are -- this is
9 the front page to this one.

10 Q Oh, okay. So the back page is actually the
11 front page?

12 A Uh-huh.

13 Q "You are such a two-faced. How dare you not
14 come and ask me what really happened instead of
15 saying things you don't really know."

16 A She didn't come to me and ask me anything.
17 She just went directly to the non-optimum reports.
18 She just asked me the day of.

19 Q So that's probably what "you're a coward"
20 means, that she didn't come ask you, since that
21 follows on the same day?

22 A Probably.

23 Q Okay. Are those text messages missing
24 anything that you can recall?

25 A No. Because I had already blocked her, so I

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1 don't know if she replied or not. And I didn't try
2 texting her after that.

3 Q So you had blocked her but -- that you could
4 text, but she couldn't text you back?

5 A Right.

6 Q Okay. So let's talk about the courses.
7 When did you first learn about the -- the course
8 program?

9 A When I actually realized about it or my --

10 Q No. When did someone tell you about it?

11 A The Friday after I started.

12 Q Okay. And that was the first day you
13 actually tried to do courses?

14 A Uh-huh. Yes.

15 Q And that was actually the only day you tried
16 to do courses?

17 A Correct.

18 Q And you read for about 30 minutes, about ten
19 pages, and then you said at some point to Bonnie that
20 it was crap, right?

21 A Yeah.

22 Q Okay. And then you left?

23 A Well, yeah. She left with me. She -- did
24 she? Yeah, I think she left. I waited for her, and
25 then we left.

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1 Q And how did you learn about the course

2 program?

3 A Her.

4 Q Through Bonnie?

5 A Uh-huh.

6 Q And what did Bonnie tell you about it?

7 A She said that if I -- every course I
8 complete, it is 25 cent raise and that I have to --
9 it's during work hours.

10 Q So you got paid for doing the course work?

11 A Yes. And it was in that back middle room
12 between the warehouse and the reception. It was a
13 small, little rectangle room.

14 Q Specifically set aside for doing course
15 work?

16 A Yes.

17 Q Were the books in there, or did you have to
18 get them from anybody?

19 A The books were in there, and you had to
20 leave them in there.

21 Q Go back to Exhibit A, which is the
22 complaint, and look at Paragraph 20. Can you read
23 that Paragraph 20 out loud?

24 A Under General?

25 Q Yeah. There's only one 20.

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1 A "A week or two after beginning her work,
2 plaintiff attempted to sit through one course but
3 quickly realized it was similar to the one she was
4 required to watch on her first day. And that day
5 they revolved around Scientology themes and overtly
6 promoted the religion."

7 Q Okay. So the way I read that, when you
8 attempted to read through one course, it was a video
9 that you were sitting through, correct?

10 A No. It was a book.

11 Q So maybe just this was worded poorly.

12 A No. It says it's -- attempted to sit
13 through one course but then realized that it was
14 similar to the -- the things -- the videos that I had
15 to watch the first day.

16 Q And then No. 21 says, "Plaintiff came up
17 with an excuse to leave without finishing the
18 course."

19 Is that correct?

20 A Yes.

21 Q All right. And what was that excuse you
22 came up with?

23 A I wanted to go home.

24 Q Okay. But it says you came up with an
25 excuse. Your excuse was you want to go home?

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1 A I -- it wasn't -- it was like I had -- I
2 just told her I left. I wanted to leave.

3 Q Oh, okay. So you didn't actually have to
4 come up with an excuse?

5 A It wasn't an excuse, yeah. It was more of
6 a, "I don't want to do this. I want to leave."

7 And she's like, "Okay. Give me a second."

8 Q And you were saying this to Bonnie?

9 A Yes.

10 Q And when you told her that, she just said
11 okay?

12 A She was like "Well, wait a little longer.
13 Just sit here and then just wait."

14 And I'm like, "Okay." So then we waited a
15 little bit, and then we left.

16 Q Of course, it was during work hours when you
17 were supposed to be at work anyway, right?

18 A Yes.

19 Q So you were getting paid to sit there and
20 not do anything?

21 A Yeah. But I was still kind of skimming.
22 That's it.

23 Q Okay.

24 A I wasn't doing the course work.

25 Q Okay.

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1 A I told her I didn't want to.

2 Q And she said okay?

3 A Yeah.

4 Q And did you ever go back into that room
5 again?

6 A I passed through it, but, no, I didn't go
7 back there.

8 Q Why did you pass through it?

9 A Because it's in between the reception and
10 the warehouse, and the warehouse is where all the
11 Real Water is at. So you had to walk through there
12 to go to the warehouse.

13 Q Oh, okay. So it was like a pass-through
14 hallway? It wasn't a separate room?

15 A It was like a -- it was the reception, front
16 room, and then there was like a door and then like a
17 small, little room, and then the warehouse, the door
18 to the warehouse.

19 Q Okay. And the small, little room was off to
20 the side?

21 A No. It -- yeah, yeah.

22 Q And it was separate from the door to the
23 warehouse.

24 Was there a door on that small, little room?

25 A No. I don't think so.

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1 Q Do you remember the name of the book that
2 you were skimming through?

3 A I don't recall the name of it, no.
4 (Defendant's Exhibit P was marked for
5 identification.)

6 BY MS. GINAPP:

7 Q And you've been handed what's been marked as
8 Exhibit P. If you'd go ahead and take a look at it.
9 And when you're ready to discuss it, let me know.

10 A Okay.

11 Q Have you ever seen this document before?

12 A No.

13 Q Do you recognize any of these titles as the
14 book that you looked at that one Friday that you
15 attempted to do course work?

16 A I don't recall the name of the book.

17 Q Do any of these -- you said you reviewed
18 some books prior to your deposition today. Do any of
19 these titles look familiar to you from those books
20 that you looked at in preparation for your deposition
21 today?

22 A I don't know the names of it.

23 Q Okay. What about the second page? Have you
24 ever seen the second page?

25 A No.

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1 Q So is it your testimony that you never
2 received a copy of this first page of Exhibit P?

3 A I don't recall getting this first page, no.
4 (Defendant's Exhibit Q was marked for
5 identification.)

6 BY MS. GINAPP:

7 Q You don't have to read this whole thing, but
8 take a look at it. And when you're ready, my
9 question is, do you recognize this document? Have
10 you ever seen it before?

11 A I don't remember reading this.

12 Q Is it your testimony that you have never
13 seen that document before?

14 A I don't recall if I did or haven't.

15 Q Does it appear to -- I know you said you
16 don't recall, but does it appear to be the document
17 that you looked at that Friday in the course room?

18 A This one?

19 Q Right.

20 A I don't know, to be honest.

21 Q If I asked you to identify a place in that
22 document that references Scientology, would you be
23 able to do that?

24 A In this?

25 Q Yeah.

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1 A I mean --

2 Q Other than it saying "L. Ron Hubbard" on the
3 front?

4 A I don't -- I haven't read it, so I don't
5 know.

6 Q Okay.

7 A I don't think I have. I don't -- I don't
8 recall. I don't remember this.

9 Q Okay. Go ahead and put it to the side,
10 then.

11 (Defendant's Exhibit R was marked for
12 identification.)

13 BY MS. GINAPP:

14 Q Okay. Same thing with this. Take a look at
15 it. You can take that off. And let me know if you
16 recall seeing or ever looked at that -- this
17 document.

18 A It was so long ago that I don't even
19 remember.

20 Q Well, approximately a year and a half ago,
21 correct, in March of 2015?

22 A Yeah.

23 Q You don't remember the pictures that are on
24 those pages?

25 A They don't -- I don't -- it doesn't -- I

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1 don't -- it doesn't seem any, like, familiar to me or
2 anything.

3 Q Okay. So if I asked you to locate for me
4 religious material or material regarding Scientology
5 within that document, you wouldn't be able to do
6 that; is that correct?

7 A Correct. Because I don't -- I don't know if
8 I read this or not.

9 Q And you testified earlier you would have
10 only read like the first ten pages of whatever book
11 you looked at, correct?

12 A Correct. And, like, I skimmed through it.

13 Q Okay. You skimmed through it till you found
14 the word "Scientology." That's your testimony,
15 correct?

16 A No. I just happened to see it.

17 Q Okay. You can go ahead and put the rubber
18 band on it and put it to the side.

19 (Defendant's Exhibit S was marked for
20 identification.)

21 BY MS. GINAPP:

22 Q You've been handed what's been marked as
23 Exhibit S. Go ahead and take a look at that
24 document. It's titled "How to Effectively Handle
25 Work." And if you could let me know if you recognize

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1 this document, if you have looked at it before.

2 A I don't recall this.

3 Q So is it your testimony you do not believe
4 that this was the book that you looked at on that
5 Friday that you did the course work for 30 to
6 60 minutes?

7 A I can't say I did or I didn't. I don't
8 remember which book it is.

9 Q So if I asked you to identify any religious
10 or Scientology information in this book, you wouldn't
11 be able to do it; is that correct?

12 A Correct.

13 (Defendant's Exhibit T was marked for
14 identification.)

15 BY MS. GINAPP:

16 Q You've been handed what's been marked as
17 Exhibit T. It's titled "How to Increase Efficiency
18 in Your Company. Go ahead and look at it to your
19 comfort level. And then let me know if you recognize
20 this book, if you have ever seen it before.

21 A I don't think I've seen this book.

22 Q Okay. So you could not identify in that
23 book any religious or Scientology-based material; is
24 that correct?

25 A Correct. I don't think I've ever read this

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1 book before, no.

2 (Defendant's Exhibit U was marked for
3 identification.)

4 BY MS. GINAPP:

5 Q I'm handing you what's been marked as
6 Exhibit U. It's titled "Formulas for Business
7 Success." Same with the prior exhibits, go ahead and
8 look at it to your comfort, and then let me know if
9 you believe you've ever read any part of this book or
10 seen it before.

11 A I don't remember if this was the book
12 either.

13 Q Okay. Do you recognize that book at all?

14 A I'm not sure.

15 Q Do you have any reason to believe that you
16 read that book or part of it?

17 A I honestly can't remember which book, which
18 one it was.

19 Q Well, we have got a few more, so we can look
20 at those to see if any of those were the books that
21 you read. Do you remember the subject matter of the
22 book that you were looking at?

23 A No.

24 (Defendant's Exhibit V was marked for
25 identification.)

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1 BY MS. GINAPP:

2 Q I'm giving you what's been marked as Exhibit
3 V. It's a copy of a book called "Management by
4 Statistics." Again, as with the other ones, please
5 look at it to your comfort level. And then when you
6 are ready to answer the question, the question is,
7 have you ever seen this book? Do you believe it to
8 be the one that you read that day?

9 A Are all of these the same books? They all
10 have -- I mean, that's why it's a little difficult,
11 because they have a lot of similar -- I don't recall
12 on this one either.

13 Q So if I asked you to show me a place in
14 Exhibit V that talked about Scientology or religious
15 matters, you wouldn't be able to do that, correct?

16 A Correct.

17 Q Okay. Go ahead and put it to the side.
18 (Defendant's Exhibit W was marked for
19 identification.)

20 BY MS. GINAPP:

21 Q I'm handing you what's been marked as
22 Exhibit W. It's titled, "Speaking from Experience."
23 Again, please look at it to your comfort level. And
24 the question will be if you've ever seen this book
25 before, if it was the book that you read that day in

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1 the course room.

2 A I don't have any recollection of this book
3 either.

4 Q Okay. So if I asked you to point out
5 anything that was religious or based on Scientology
6 at all in that book, you wouldn't be able to do it,
7 correct?

8 A Correct.

9 Q Do you have any recollection of the book you
10 were looking at? Was it copies of a book, or was it
11 a hardbound book that you were looking at that day?

12 A I believe it was a book.

13 Q A hardbound book or a paperback book?

14 A It looked like a paperback book. I'm not
15 sure.

16 Q Was it thick a paperback book, or was it
17 thin?

18 A It was -- I'm not sure.

19 Q Do you remember the color of the book?

20 A No.

21 Q Do you remember anything about the book?

22 A No, I do not.

23 Q When you were looking at the book, did you,
24 by any chance, skip to the end pages and look at the
25 end pages?

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1 A No, I did not.

2 Q Would you have skipped to the end and read
3 the glossary of any of the book -- of the book if it
4 had one?

5 A Would I?

6 Q Yeah.

7 A I normally do.

8 Q You skip to the end and read a glossary?

9 A Sometimes.

10 Q Without reading the rest of the book?

11 A Depending on the book.

12 Q Okay. Do you recall doing that in this
13 instance?

14 A No.

15 Q No. You just read the first ten or so pages
16 of the book?

17 A Right.

18 Q Or skimmed them, correct?

19 A Correct.

20 Q Have you ever done an independent
21 investigation of the business management technology
22 used by the company?

23 A No.

24 Q Why not?

25 A I just didn't want to.

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 Q You never Googled it?

2 A No.

3 Q Do you know what WISE is?

4 A I've heard of it, but I don't know what it
5 is.

6 Q Okay. And what context have you heard of
7 WISE?

8 A I'm not sure. I remember it. It sounds
9 familiar, but I just don't remember where.

10 Q Did you hear about it at Real Water or
11 somewhere else?

12 A I'm not sure. I think I might have heard it
13 there.

14 Q Do you remember in what context?

15 A No.

16 (Defendant's Exhibit X was marked for
17 identification.)

18 BY MS. GINAPP:

19 Q Appropriately, you've been handed Exhibit X.
20 Take a look at it, and let me know when you're ready
21 to talk about it.

22 A I'm ready.

23 Q Do you recognize this document?

24 A No.

25 Q You have never seen this document before?

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 A I don't think so.

2 Q I believe it was produced by your counsel.

3 You didn't -- as far as you know, it didn't come
4 from -- originate with you?

5 A I think -- I've never received it, but I
6 heard about the 10X Club from Christy Oldenkamp. She
7 mentioned it. I think it was after I had already
8 left.

9 Q Are you familiar with the book The 10X Rule?

10 A I'm not.

11 Q So do you have any belief whether or not The
12 10X Rule is based in Scientology or not?

13 A I don't think -- I don't know.

14 Q You don't have any knowledge whatsoever?

15 A I don't have any knowledge.

16 Q So the 10X Club and -- at Real Water, which
17 appears to require you to read The 10X Rule, by Grant
18 Cardone, that didn't affect you in any way?

19 A No. I believe this was our -- this
20 started -- well, I heard about it after I was gone.

21 Q Oh, okay.

22 A Christy told me about it, and we had a
23 conversation about it talking about how it's
24 Scientology based.

25 Q Oh, okay. But that was after you left?

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 A After I left.

2 Q And you don't have any independent knowledge
3 as to whether or not it's Scientology based?

4 A No.

5 Q Okay. And The 10X Club is not at all part
6 of any evidence that supports your claim for
7 religious discrimination at Real Water, correct?

8 A She -- Christy mentioned it.

9 Q But is it part of your claim? Was it --
10 does it underlie the facts of your claim for
11 religious discrimination?

12 A I never got this, so, no.

13 Q Did you tell Bonnie Mercado that you had a
14 past prescription drug problem?

15 A I had mentioned it vaguely.

16 Q Okay. And in what context did you mention
17 it?

18 A I told her -- well, I was sick. And because
19 I was getting prescribed, I -- I guess you can say I
20 used them because I was sick.

21 Q Okay. And did you tell her that you had a
22 prescription drug problem?

23 A I told her I abused a little bit, yeah. And
24 then she told me she --

25 Q Go ahead.

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* * *Videotaped Deposition* * *

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1 A -- smokes weed.

2 Q Was this during the time when you guys were
3 being friends?

4 A Yes.

5 Q And just to be clear, when you were telling
6 her about your past prescription drug abuse, you
7 were -- that was definitely a past issue, correct?

8 A Yes.

9 Q All right. And you weren't asking for any
10 accommodation or anything like that at work?

11 A No, no. In fact, when I got into the car
12 accident, I told Jeremy that the doctor prescribed me
13 pain medicine. And I told him that I only take -- if
14 I needed it, I take it after I get off work. And he
15 said, "Have you ever tried smoking weed?"

16 And I said, "No. I don't really want to."

17 Q Have you calculated how much you're asking
18 for in damages related to lost wages?

19 A I believe I did.

20 Q Can you tell me what that is?

21 A Just the months that I haven't been able to
22 find a job.

23 Q Okay. Do you have an approximate estimate
24 as to what that equals currently as you sit here
25 today?

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 A Not off the top of my head.

2 Q And you're not currently employed, correct?

3 A Correct.

4 Q Your complaint requests damages for mental
5 anguish, emotional distress and pain and suffering.

6 Are you aware of that?

7 A What was that?

8 Q Your complaint requests damages for mental
9 anguish, emotional distress and pain and suffering.

10 Are you aware that it does that?

11 A Yes.

12 Q Can you explain to me what that means in
13 your own words?

14 A That it's made me feel anxious, depressed,
15 sad.

16 Q Anything else?

17 A Penniless. And it's hard to get a job. So
18 stressful.

19 Q Has your anxiety, depression, sadness,
20 stress, has that manifested itself in any physical
21 symptoms?

22 A No. As in like --

23 Q Just any physical symptoms.

24 A I don't think so, no.

25 Q Okay. Since you were terminated from Real

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 Water, have you been hospitalized at all?

2 A Yes, but for my UC.

3 Q And you don't relate that to -- UC, sorry,
4 means ulcerative colitis?

5 A Yes.

6 Q And you don't relate that in any way to your
7 feeling anxious or depressed or anything like that,
8 right?

9 A Maybe just a little bit of the stress,
10 but . . .

11 Q But in general --

12 A Yes.

13 Q -- it's not related?

14 A No.

15 Q It's not related, correct?

16 A No.

17 Q Have you sought medical treatment for your
18 anxiety, depression, sadness, stress?

19 A When I first got fired, I -- well, a little
20 bit after that, I went to my doctor and he prescribed
21 me Xanax, low dose.

22 Q Are you still on Xanax?

23 A No.

24 Q How long did you take Xanax?

25 A Very seldomly for a month.

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* * *Videotaped Deposition* * *

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1 Q Approximately how many Xanax do you think
2 you took over the course of that one month?

3 A Maybe like three or four, and they were
4 .25s.

5 Q And then you stopped?

6 A Yeah.

7 Q Because you didn't feel like you needed them
8 anymore?

9 A I just don't like taking pills anymore.

10 Q Did you tell your doctor that you were going
11 to stop taking the Xanax?

12 A Yeah.

13 Q And he was fine with that, or she? I don't
14 know if it's --

15 A Yeah. He was okay with it.

16 Q Okay. What was your doctor's name?

17 A Raphael Mirchou.

18 Q Can you spell the last name?

19 A M-I-R-C-H-O-U.

20 He prescribed -- he prescribed them to me,
21 but I didn't use them. And he knew, just in case.

22 Q Does he work through a practice, or is he on
23 his own?

24 A I think he owns his own.

25 Q Do you know the name of it?

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 A No.

2 Q Any other doctors or medical treatment that
3 you received for your anxiety, depression, sadness --

4 A No.

5 Q -- stress?

6 Your complaint also requests damages for
7 humiliation. Is it your testimony that you suffered
8 humiliation as a result of your termination?

9 A After that media, yes. Specifically, after
10 the media coverage they had, yes.

11 Q So after the media coverage, you had
12 humiliation. And the media coverage occurred after
13 you filed your complaint, correct?

14 A Yes.

15 Q The complaint also seeks damages for harm to
16 reputation. Is it your testimony that you suffered
17 harm to your reputation as a result of being
18 terminated from Real Water?

19 A Well, that was also for the media.

20 Q Okay. So your harmed reputation was only
21 after the media coverage, correct?

22 A And -- yeah.

23 Q Okay. And that occurred, again, after you
24 filed your lawsuit, correct?

25 A Correct.

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 Q All right. And then it also requests
2 damages for other losses. Did you suffer any other
3 losses that you are requesting to be compensated for
4 as a result of your termination?

5 A I -- I don't think so.

6 Q All right. Do you have a Twitter account?

7 A I don't use it.

8 Q But you have one?

9 A It's been dead forever.

10 Q How long has it been dead?

11 A I don't know. Since I opened it, I never
12 used it.

13 Q Do you remember what your screen name is for
14 your Twitter account?

15 A No.

16 Q Are you on Facebook?

17 A It's deactivated.

18 Q How long has it been deactivated?

19 A For a while. For over a year. It was
20 deactivated for months and then I reopened it, and I
21 had Facebook requests from Amy, Maria, Amy Jones and
22 Maria, and I obviously didn't approve them. And then
23 I re-deactivated it. And I got messages from people
24 telling me about the whole media thing, and then I
25 just deactivated it again.

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 Q Okay. So when was the first time you
2 deactivated it?

3 A A long time ago.

4 Q Okay. Was it while you were working for
5 Real Water?

6 A Before that --

7 Q Okay.

8 A -- because I don't use it.

9 Q All right. It was deactivated before you
10 worked at Real Water.

11 When you worked at Real Water, was it active
12 at any time?

13 A No.

14 Q Okay.

15 A I don't think so. I only normally get on
16 there just to speak to family from other -- from
17 Mexico.

18 Q Okay. When did you reactivate it?

19 A Around my birthday, May 7th. Around there.

20 Q Of 2016?

21 A Yes.

22 Q Okay.

23 A I reactivated it for like three, four days
24 and then deactivated it again.

25 Q And that was when you saw that Amy and

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 people from Real Water had tried a friend request to
2 you?

3 A Uh-huh.

4 Q And did you notice the dates that they had
5 tried to friend request you?

6 A No. Because it was deactivated, so I
7 guess --

8 Q You couldn't tell when?

9 A Yeah. I don't know.

10 Q Do you have an Instagram account?

11 A I do.

12 Q Do you have a screen name for your Instagram
13 account?

14 A I don't really use it. I don't really use
15 social media that much.

16 Q Do you have any other social media accounts
17 that you do use?

18 A No. That I do use?

19 Q Yeah.

20 A No.

21 MS. GINAPP: All right. I'm going to take a
22 break to just kind of go through my notes, because
23 this is my one and only chance to talk to you. And
24 so we'll take about -- what time is it?

25 THE VIDEOGRAPHER: 4:37.

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* * *Videotaped Deposition* * *

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1 MS. GINAPP: Okay. So let's take about a
2 ten-minute break. And then I'll ask you the
3 remainder of my questions, and then we will be done.

4 THE WITNESS: Okay.

5 MS. GINAPP: Okay.

6 THE VIDEOGRAPHER: The time is approximately
7 4:37 p.m. We are going off the record.

8 (Off the record.)

9 THE VIDEOGRAPHER: The time is approximately
10 4:45 p.m. We are back on the record.

11 BY MS. GINAPP:

12 Q You're still under oath. Did you discuss
13 any of your concerns about the religious material in
14 the videos and the course materials with any of your
15 family members or your boyfriend?

16 A My dad.

17 Q Okay. And how many discussions did you have
18 with your dad about it?

19 A Just one.

20 Q Okay. And when did that discussion with
21 your dad occur?

22 A I don't know the exact date.

23 Q Was it during your employment with Real
24 Water?

25 A Yeah. Uh-huh.

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 Q Okay. Was it -- was it after you watched
2 the videos?

3 A Yeah. And after the courses.

4 Q Okay. And do you recall how long after you
5 had that one day looking at the course material that
6 you talked with him about it?

7 A How long I had a conversation with him?

8 Q How long after that did you have a
9 conversation with him?

10 A Probably -- I don't know. Maybe a month, if
11 that.

12 Q And what motivated you to have the
13 conversation with him about it.

14 A I just thought it was weird that they were
15 using a Scientologist on their work, on the stuff
16 they use.

17 Q Okay. And did you bring it up with your
18 dad?

19 A Yeah.

20 Q Okay. And what did he say?

21 A He thought it was weird. He was -- he
22 was -- he said they really -- in Spanish, obviously,
23 he said they're really using Scientology-based works
24 or techniques. Then he asked me if everyone else had
25 to do it.

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* * *Videotaped Deposition* * *

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1 And I said, "Yes."

2 Q Okay. Did he say anything else?

3 A No.

4 Q Anybody else in your family that you talked
5 with about your concerns about the religious, what
6 you viewed as religious themes in the videos and the
7 course materials?

8 A Just my boyfriend. It was very vague. I
9 just told him I didn't like the fact that they're
10 using Ron L. Hubbard and using his techniques and
11 stuff and using his business materials, you know.
12 And to be honest, I thought it was still another way
13 of using Scientology. And he just listened. He
14 didn't really say anything.

15 Q Anybody else that you spoke with outside of
16 Real Water --

17 A No.

18 Q -- about the issue?

19 A No.

20 Q Okay. And I just want to clarify, the only
21 supervisor that you complained or talked to about the
22 videos was Bonnie Mercado, correct?

23 A Correct.

24 Q Okay. And the only supervisor that you
25 complained about or talked to about the course work

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 was also just Bonnie, correct?

2 A Correct.

3 MS. GINAPP: Those are all the questions
4 that I have.

5 EXAMINATION

6 BY MS. BARRAZA:

7 Q I have two brief points of clarification. I
8 hate to refer you back to these early exhibits, but
9 I'm going to point you to Exhibit C and Exhibit D,
10 the employment agreements.

11 A Okay.

12 Q Just put those in front of you. Keep them
13 close. And then --

14 A C and what?

15 Q C and D.

16 And can you also pull out your
17 questionnaires from the videos, which are Exhibits G,
18 H, I and J. And you can look through G, H, I and J.
19 It looks to me like these are all dated March 11,
20 2015. Is that what you're seeing?

21 A Yes.

22 Q Is there any reason to believe that you did
23 not fill out these questionnaires on March 11, 2015,
24 as is indicated on the exhibits?

25 A Yeah.

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* * *Videotaped Deposition* * *

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1 Q You do believe or you don't believe? Do you
2 think you actually watched these videos on March 11th
3 as is indicated on the documents?

4 A Yeah.

5 Q Okay. And I want to point you to your
6 employment agreements. Agreement C indicates that
7 you signed it on March 10th; is that correct?

8 A Correct.

9 Q Okay. And Exhibit D indicates that you
10 signed it on March 11, 2015; is that correct?

11 A Correct.

12 Q Okay. So going back to your earlier
13 testimony, am I correct that you testified that you
14 signed documents and then you watched videos, there
15 was a lunch in between, and then after you watched
16 the videos, you went home; is that correct?

17 A Yes.

18 Q Do you remember actually signing any
19 documents, not including the questionnaires, the same
20 day on March 11, 2015, after you watched the videos?

21 A I don't recall signing -- no, I don't.

22 Q You don't recall exactly when you signed
23 Exhibit D, which is dated March 11, 2015?

24 A Right.

25 Q Okay. So am I correct that it could have

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 been before you actually watched the videos?

2 A Correct.

3 Q Okay. And I want to clarify you were
4 presented with various courses identified by Exhibits

5 Q through V. Am I correct that it's your testimony
6 that you don't recall whether any of those specific
7 courses were actually the ones that you read?

8 MS. GINAPP: Objection. Form. Leading the
9 witness.

10 THE WITNESS: Correct.

11 BY MS. BARRAZA:

12 Q Okay. So is it possible or is it -- is it
13 possible that one of these courses that were
14 presented to you today could have been what you
15 actually read?

16 MS. GINAPP: Objection. Form. Asked and
17 answered.

18 THE WITNESS: I don't remember. I really
19 don't recall which one it was.

20 BY MS. BARRAZA:

21 Q Okay. So when you were presented with these
22 earlier in your deposition, did you physically,
23 carefully read through the first ten or so pages of
24 them?

25 A I skimmed them.

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* * *Videotaped Deposition* * *

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1 Q Okay.

2 A I skimmed some of the pages.

3 Q Okay. So in the event that any of these --
4 sorry. Let me think about how to phrase this.

5 In the event that any of the courses listed
6 in Exhibits Q through V do mention Scientology in the
7 first ten or so pages, could they have been the
8 courses that you actually read?

9 MS. GINAPP: Objection. Form. Foundation.
10 Calls for speculation.

11 THE WITNESS: Are you asking me if I read
12 Scientology in one of the first ten pages?

13 BY MS. BARRAZA:

14 Q No. I'm asking you -- okay. Let me just
15 ask you, do you know for sure, sitting here today, if
16 all of the courses that were presented to you do not
17 mention Scientology at all in the first ten pages?
18 Do you know that for sure?

19 MS. GINAPP: Objection. Form. Foundation.
20 Calls for speculation.

21 THE WITNESS: If these say Scientology on
22 it?

23 BY MS. BARRAZA:

24 Q Right.

25 A I'm not sure.

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 Q Okay.

2 A But the one I read did.

3 MS. BARRAZA: Okay. I have nothing else.

4 FURTHER EXAMINATION

5 BY MS. GINAPP:

6 Q I just have a few follow-ups.

7 When you were looking at Exhibits Q through
8 V, did you feel like you were given sufficient time
9 to look at them before I asked you questions?

10 A Yes.

11 Q All right. Did I rush you in any way?

12 A No.

13 Q Okay. As you sit here today, can you
14 testify that any of those books, Q through V, were
15 courses that you looked at with any certainty?

16 A Like today?

17 Q Yeah.

18 A If I looked at them with certainty?

19 Q No. Can you testify with any certainty that
20 you -- that any of those books, Q through V, were
21 what you looked at that one Friday that you spent
22 30 minutes skimming ten pages in the course room at
23 Real Water?

24 A I don't recall which one it was. I can't
25 be -- I don't -- I don't remember --

Grecia Echevarria Hernandez November 3, 2016

* * *Videotaped Deposition* * *

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1 Q Okay.

2 A -- which one.

3 MS. GINAPP: Those are all the questions
4 that I have.

5 MS. BARRAZA: I don't have any.

6 THE VIDEOGRAPHER: This concludes the
7 videotaped deposition of Grecia Echevarria Hernandez.
8 The original media of today's testimony will remain
9 in the custody of Las Vegas Legal Video.

10 The time is approximately 4:56 p.m. We are
11 going off the record.

12 THE REPORTER: Counsel, before I go off the
13 record, did you want your client to read or waive
14 signature?

15 MS. BARRAZA: We can waive that.

16 Can I get an electronic copy.

17 (Thereupon, the videotaped deposition
18 was concluded at 4:56 p.m.)

19

20 * * * * *

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Grecia Echevarria Hernandez November 3, 2016

* * * Videotaped Deposition * * *

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1 CERTIFICATE OF DEPONENT

2 PAGE LINE CHANGE REASON

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15

16 I, GRECIA ECHEVARRIA HERNANDEZ, deponent
 17 herein, do hereby certify and declare that the within
 18 and foregoing transcription to be my deposition in
 19 said action; that I have read, corrected, and do
 20 hereby affix my signature to said deposition.

21

22

23 _____
 24 GRECIA ECHEVARRIA HERNANDEZ

25

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* * * Videotaped Deposition * * *

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1 CERTIFICATE OF REPORTER

2
3 STATE OF NEVADA)
4) ss:
5 COUNTY OF CLARK)

6 I, Sarah Safier, CCR No. 808, do thereby
7 certify: That I reported the deposition of GRECIA
8 ECHEVARRIA HERNANDEZ, commencing on Thursday,
9 November 3, 2016, at 9:03 a.m.

10 That prior to being deposed, the witness was
11 duly sworn by me to testify to the truth. That I
12 thereafter transcribed my said shorthand notes into
13 typewriting and that the typewritten transcript is a
14 complete, true, and accurate transcription of my said
15 shorthand notes. That prior to the conclusion of the
16 proceedings, pursuant to NRC 30(e), the reading and
17 signing of the transcript was not requested by the
18 witness or a party.

19 I further certify that I am not a relative
20 or employee of counsel of any of the parties, nor a
21 relative or employee of the parties involved in said
22 action, nor a person financially interested in the
23 action.

24 IN WITNESS WHEREOF, I have set my hand in my
25 office in the County of Clark, State of Nevada, this
15th day of November, 2016.

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